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BOSNIAN ELECTIONS: A POSTMORTEM

Y 4. IN 8/16: B 65/7

Bosnian Elections: A Postmortem, He...

HEARING
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

SEPTEMBER 19, 1996

Printed for the use of the Committee on International Relations



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BOSNIAN ELECTIONS: A POSTMORTEM

Thursday, September 19, 1996

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The committee met, pursuant to call, at 10:15 a.m. in room 2172, Rayburn House Office Building, Hon. Benjamin A. Gilman, chairman of the committee, presiding.

Chairman GILMAN. Good morning. The meeting will come to order.

The purpose of this morning's hearing is to review the results of the elections that were held in Bosnia last weekend. These elections, called for under the Dayton agreement, were to fill offices of the national three-man Presidency of the National House of Representatives and for the assemblies of the Republika Srpska and the Bosnian Croat Federation.

While the elections in general were without any serious incident, for which we are all grateful and must commend our IFOR commanders for providing such good security, the preliminary indication is that they solidified the political position of hardline elements within each of the three ethnic groups in Bosnia.

Our hearing today is to explore what the meaning of the elections is for Bosnia's future. Will they provide a basis for reconciliation and stability, or do they represent the first steps toward partition and the eventual dismemberment of Bosnia?

We need also to focus on a few key questions regarding the elections themselves, including the level of the turnout and whether the Bosnian electorate was truly able to vote in the areas they wanted to vote in.

We must also again examine the conditions in which election campaigns were conducted. Was there freedom of association and was there equal access to the media, or were these essential elements of a free and fair process ignored because of the need to press ahead with elections to fulfill the time table drawn up last year?

Finally, we must also consider just what the elections mean for the role of the international community. While there seems to be a growing consensus among our European allies that some kind of international security force is going to be necessary in Bosnia after December 20 and for an unforeseeable period of time after that date, the Administration contends that such discussions are premature.

The Europeans are also insistent that our Nation be a part of such a force, and I think that it is time for the President and his

top foreign policy officials to level with us and the Congress and the American people about what commitments our Bosnia policy will require in the near future.

I would also like to add a personal note. Since last April, a number of us have been working hard with Cardinal O'Connor to win the release of Bosnian Catholic priest Tomislav Matanovic. The case of Father Matanovic is the number one human rights priority of Banja Luka's embattled Roman Catholic Bishop Komarica.

It is my understanding that Father Matanovic and his parents were arrested last September by the local Prijedor Bosnian Serb police under the command of Simo Drljaca. No one has seen the Matanovic family since, although international officials in the region believe that he is still alive and that he is held in a private mobile detention facility in cooperation with the 43rd Bosnian Serb brigade that are garrisoned in that area. I recall that Drljaca was the commander of the Omarska Concentration Camp, Europe's first concentration camp since World War II.

Last week, I dispatched a team of our committee staff to Prijedor to meet with Bosnian Serb officials to win Father Matanovic's release. While they were not successful, I want to thank Assistant Secretary Gelbard, Andrew Bair of his staff and Deputy U.N. Police Commissioner Robert Wasserman, IFOR Multi-National Division Southwest Commander, Major General Kizley, and a local U.N. Prijedor police official, Colonel Boda, for their efforts to try to obtain Matanovic's release. Special thanks also go to Inspector William O'Neill of the U.N. Police for their efforts.

The effort to win Matanovic's release involves a number of nations—Americans, British, Hungarians, Irish, Czechs and many more—along with many international organizations. Our staff reported that everyone in the international community remains on top of this case with excellent cooperation from all parties.

It is a pleasure this morning to welcome Assistant Secretary John Kornblum to our committee. This is his first appearance before us since taking on his new responsibilities as head of the Bureau for European and Canadian Affairs.

Before giving Assistant Secretary Kornblum the floor, I ask our ranking minority member, Mr. Hamilton, if he has any opening remarks?

Do any of our other members seek recognition? If not, Assistant Secretary Kornblum.

I am sorry, Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman. I welcome, as the other members of our panel do, this opportunity to review the conduct and consequences of the elections last weekend in Bosnia under the supervision of the Organization for Security and Cooperation in Europe, as mandated by the Dayton agreement.

Admittedly, the OSCE faced numerous difficulties in organizing these complicated elections within the time frame agreed to in Dayton. Despite numerous calls for postponing the election, a position which I strongly advocated, the Clinton administration pressed ahead with the elections, even though the conditions for a free and fair balloting laid down in Dayton were neither present during the campaign nor on election day.

Persistent and pervasive problems with each and every condition stipulated in Dayton are well documented. The U.S. brokered agreement called for a politically neutral environment, freedom from intimidation, freedom of expression and of the press, freedom of association and freedom of movement.

As chairman of the Helsinki Commission, I am particularly disturbed over the blatant disregard for well established OSCE standards and norms during the campaign leading up to the vote.

The failure of the parties to Dayton, the international community and the United States to ensure effective implementing of their obligations, including the surrender of indicted war criminals to the tribunal, had a chilling effect on the elections, as well as the prospects for a unified Bosnia.

In the closing days of the campaign, the White House initiated its own campaign designed to lower expectations. We were warned not to expect Jeffersonian democracy in Bosnia, and it was suggested that a consensus of the Bosnian people on the results would suffice as to whether the vote was free and fair.

Mr. Chairman, an honest assessment of the Bosnia elections must take into account the gross intimidation and manipulation which preceded and overshadowed the balloting. The Helsinki Commission will issue a report shortly based on observations of staff disbursed throughout Bosnia for the elections.

Perhaps one of the most telling scenes from the elections came when American officials hovered around Mrs. Plavsic, the hardline Bosnian Serb Nationalist leader, as she read from a prepared statement, reportedly a U.S. draft, retracting her repeated assertions that the Serb Republic would eventually be united with Serbia. The Bosnia Serb President had all she could do to keep a straight face during that performance.

Mr. Chairman, during the debate on President Clinton's decision to deploy 20,000 American troops in Bosnia (and my own nephew is among them) I voiced concern that the Administration's policy was driven by the U.S. Presidential election schedule. As we near the President's self-imposed deadline for the withdrawal of U.S. forces from Bosnia, this concern has only intensified.

Now that the national elections in Bosnia are over and the timing of municipal elections is still in question, President Clinton must level with the American people about his intentions to maintain troop presence in Bosnia beyond December.

I thank you, Mr. Chairman, and I yield back the balance of my time.

Chairman GILMAN. Thank you, Mr. Smith.

Do any other members seek recognition? If not, Assistant Secretary Kornblum, you may proceed. You may put your full statement in the record and summarize it or however you deem appropriate.

Mr. KORNBLUM. Thank you, Mr. Chairman. I have a statement which I have submitted for the record, and I will give you a short summary of points which I think are useful to begin our discussion, but I think that I would look forward very much to your questions and to having a full discussion with you during the time available to us.

Chairman GILMAN. Without objection, the full statement will be made part of the record.

[The statement of Mr. Kornblum appears in the appendix.]

STATEMENT OF THE HONORABLE JOHN KORNBLUM, ASSISTANT SECRETARY FOR EUROPEAN AND CANADIAN AFFAIRS

Mr. KORNBLUM. I returned last night from my sixteenth visit to Bosnia since February, and I have been following the election process and the process of implementation of the Dayton agreement with special care really since last fall before the Dayton negotiations, but certainly since February when I became first Acting and then later was formally confirmed as Assistant Secretary.

As we know, these elections were part of the Dayton process. They were designed to be an important and perhaps essential element of the goal of establishing a sustainable structure and a foundation for peace and reconciliation in Bosnia.

I think it is not possible to overstate the importance of these elections. After 4 years of brutal conflict which shredded the very fabric of their society, all Bosnians, regardless of ethnic groups, were given the opportunity that so many of us take for granted—the right to vote.

I have, as I mentioned, been discussing these elections with Bosnians of all nationalities and all political persuasions for some time. It was interesting to me that repeatedly, despite the difficulties of organizing the elections and despite the prospect of some difficulties with them, difficulties which by testimony of all international observers were much fewer than might have been expected under such difficult situations, I did not find anywhere a political leader, a candidate or a normal citizen who did not believe these elections should take place on schedule.

Seventy percent of the eligible voters voted in the elections. Large numbers of persons from all of the ethnic communities took the what I consider to be courageous step of putting their names on the ballots, of actively campaigning in an atmosphere which was still fraught by resenting and hate from the wartime period and in fact contributed to the building of a political process which can now begin.

Nobody expected these elections to be flawless, but I think that we can say that as has been confirmed by a number of people and as was stated by Secretary Christopher in his statement yesterday, they were orderly. They were calm. They were free from violence. They did represent a strong statement by the people of Bosnia in favor of a democratic process.

In the Republika Srpska, opposition candidates polled more than 30 percent of the vote. In the Muslim areas, they polled nearly 20 percent of the vote. These are an indication that again despite the difficult circumstances and despite the fact that Bosnia still lives in the aftermath of the Communist era in which the large central parties had a strong monopoly on organization and on the loyalties of people, despite this fact and despite the wartime hangover, the beginnings of a true pluralistic system were laid with these elections.

I spent the past week in Bosnia helping to manage the U.S. role in the process. We were very pleased to have been supported in our

American role in the elections by a bipartisan Presidential observation team, which included Representative King from this committee and included Congressmen Hoyer and Mascara from the Helsinki Commission and others such as Representative Murtha.

These Representatives played a very important role in helping not only to observe what was going on in Bosnia during the elections, but to stress the importance that the United States attaches to the continuation of the Dayton peace process to the building of democratic institutions and to the establishment of a sustaining structure of peace even after the commitment of the international communities starts to wind down.

The next steps in this process are clearly set forth in the Dayton agreement. There is a constitution which has formally been in force since December 14, but which now must be implemented in its entirety through the formation of a presidency, through the naming of ministers and through the beginning of a joint administration in those areas provided in the constitution.

The United States intends to continue to be very active in this process. In addition to our work in helping to implement the agreement, we will be putting forth an action plan for democratization, for freedom of movement, for economic development and human rights to make sure that the promise of the Dayton agreement, which is on the one hand building structures, but on the other hand putting forward a process for true democratization in that country, that that promise is not forgotten in the effort to pursue the political agenda.

Our goal, as we have stated many times, is to turn responsibility for Bosnia over to the Bosnians. That is the basic construction of the Dayton agreement. That is the goal of our American effort and the goal of the effort of our partners in this region. That will be the focus of our implementation effort over the next months and into 1997.

We obviously cannot predict the future. It would not be wise to try and describe what can happen in an atmosphere of division which still exists as of the basis of the war.

We believe that these elections have laid a very good foundation for the future, and I can assure you that we will be committed very much to the principles which made the Dayton agreement possible in the first place.

Thank you.

Mr. BEREUTER. [Presiding] Thank you very much, Mr. Kornblum.

In Mr. Gilman's absence, I will begin the questioning. I understand that Ambassador Frowick, a retired American diplomat who had the task of organizing the elections in Bosnia, had expressed strong doubts and reservations about the conditions in Bosnia permitting the holding of honest elections by September 14.

Mr. Frowick and others on his staff, I understand, have also complained about being pressured by American officials to certify that the conditions in Bosnia will be conducive to the campaigning electoral process in time to meet the September 14 deadline set out in Dayton.

Mr. Secretary, did you or any U.S. official suggest to Ambassador Frowick that he ought to go ahead and certify, despite his best judgment?

Mr. KORNBLUM. Congressman Bereuter, no, we did not. Ambassador Frowick, as did other international officials, including myself, by the way, expressed regularly to Bosnian officials and to others during the spring of 1996 the need to meet the conditions and the concern over the behavior of officials in all three communities. We expressed those concerns continuously also after certification was made.

Ambassador Frowick and Foreign Minister Corty of Switzerland, who is the chairman in office of the OSCE, concluded in June that the basic foundation for holding elections had been achieved and that with considerable effort, which was exerted by them and by others, to make sure that conditions were established that the elections should and could be held. I think that judgment has been borne out.

The international community, including Mr. Fontine, who was the formal chairman of the observer corps, has concluded that the elections were in fact effective, well held and did represent an opportunity for the expression of the will of the people.

Mr. BEREUTER. Mr. Secretary, why did the OSCE feel it necessary to postpone elections for local and municipal offices while allowing the national elections to go ahead? What conditions are necessary for the local elections that were not necessary for the national elections?

Mr. KORNBLUM. Thank you for that question, Congressman, because I think it is important to make clear the reason that the municipal elections were postponed.

The technical conditions existed. I can tell you, as I know many members of your staff, the committee and others looked themselves, that visiting the polling places it was quite impressive how well the OSCE had established the technical conditions for the elections.

The municipal elections, among the several layers of elections which were scheduled, were ones which actually depended upon the residence of persons in a specific district, in a specific municipality. They were the elections which were going to decide how individual cities and municipalities were going to be governed.

The Serbian side and to a lesser extent the Croatian side, but in particular the Serbian side, used the regulations for registration in an inappropriate fashion to focus the registration of persons living outside the country on specific municipalities, the makeup of which and the government of which they wished to influence.

This was not an official violation of the rules, by the way, but it was clearly a manipulation of the rules. They packed persons into cities such as Srebrenica, which you know has a very high emotional symbolism for all communities, or Brcko, which is another city which is still to this day being debated.

The OSCE believed that this manipulation had made it impossible to have a fair determination of who lived where. They also felt that the manipulation showed a lack of respect for the spirit of the elections and that it could not be allowed to stand.

After considerable consultation among themselves and also with parties such as the United States, Ambassador Frowick determined on his own responsibility that it would be best not to hold the municipal elections, to clear up the questions of registration and dec-

laration of residence, and it would be better to postpone them. We supported that decision.

Mr. BEREUTER. Thank you. Mr. Secretary, the one exception, as I understand it, is the city of Mostar.

Mr. KORNBLUM. That is right.

Mr. BEREUTER. What was the political situation there that made it possible to go ahead with the local elections?

Mr. KORNBLUM. Well, it was not so much the political situation as the fact that it had been agreed.

As I am sure you know, the European Union (EU) had accepted a mandate in Mostar to help bring the two communities, the Bosnian and the Croatian communities, together. This mandate stretched back into the previous year.

There was an EU administrator there, an EU police force, and as part of the agreement on the Federation, which was signed in Dayton on November 10, I believe it was, last year, it was agreed that the EU would hold separate municipal elections in Mostar as part of their mandate for helping to bring that city back together.

Those elections were scheduled to be held in the spring, and they were in fact held in June of this year. It was a separate process. Those elections were not held under the supervision of the OSCE and were on a different time table.

Mr. BEREUTER. Thank you. My time is nearly expired. I will turn the chair back to the chairman.

Chairman GILMAN. [Presiding] Thank you, Mr. Bereuter.

Ambassador Kornblum, you have suggested in your statement the absence of violent incidents during the elections last Saturday, for which we are all thankful. I regret that we have a vote underway, but we will try to continue as long as we can, the members going out quickly to try to return quickly.

I will start the question again. Ambassador, you have suggested in your statement that the absence of violent incidents during the elections last Saturday, for which we are all grateful, proves that the critics of going ahead with the elections under the circumstances that prevail in much of Bosnia were wrong. I would submit that maybe you may have misread those of us who criticize some of the process in Bosnia.

While it is true that we did fear violence, the substance of our criticism centered and still centers around the fact that these elections have given a mantle of legitimacy to individuals who have no interest in seeing Bosnia reconciled and reintegrated.

Moreover, that mantle of legitimacy was conferred by a process where the hardliners have an insurmountable advantage in terms of the control of media and local police and other institutions of authority which made the elections in many places fundamentally unfair.

You can even attribute the lack of violence in part probably to the success of intimidation tactics by some of those individuals who have now apparently reaped a political victory.

How would you respond to those criticisms?

Mr. KORNBLUM. Mr. Chairman, all of the points that you just made were, of course, considered very carefully in the fall of 1995 when the concept for the Dayton agreement and the elections was put together.

You are absolutely correct. There were a number of ways to approach the question of establishing follow-on democratic institutions, and I can assure you that we discussed them thoroughly not only among ourselves and with our allies, but we drew upon the experience of a number of persons both within the government and outside who had conducted similar elections in other places such as Cambodia.

We came to the fundamental analysis that the political situation in Bosnia was in fact as you described it, not just because of the nationalist sentiments which came out of the war, but in fact because these same parties were entrenched from the Yugoslav which had existed before that. In other words, we were dealing with a very difficult wartime situation, but also with essentially a post-Communist situation.

We had two options. We could either have said that you needed a fairly long period of democratic development in which all of the conditions for democratic elections could have been established, or we needed to have a short and intense period of military stabilization and political development with elections soon to break through the existing structures and to establish a mandate, however probably flawed, which then allowed us and the forces in Bosnia who wished the country to come together to establish progressive democratic structures. We chose the latter; that is, the quick elections, which were aimed at breaking through the structures.

As I said earlier, and I think you were out of the room, I did not find one responsible politician in many months of visiting that country who did not believe the elections should take place.

It is true that in the SDA party there were from time to time movements of people who wished to boycott or to put pressure on us on the elections, but even in the SDA everyone was in favor of holding the elections.

In particular, the opposition parties and the Republican Serbs urged us not to postpone the elections because they said that was the only way that they could gain a foothold in a structure which until now has been based on strong, centralized parties, but also on authoritarian structures throughout the society and also, and this is almost equally as important, on an economic structure which is essentially based on strong local control of persons, black marketeering and profiteering and on gangsterism.

We believed then, and as you can imagine believe even more strongly now after the success of the elections, that the decision to hold them, even if all the conditions were not perfectly met, was the right one because we now have a foundation for making sure that we hold people to commitments and that the conditions are met. I can assure you that that is what is going to be done.

Chairman GILMAN. Mr. Secretary, what can you tell us about President Izetbegovic's protest of the elections in Srpska?

Mr. KORNBLUM. I can tell you that the President and many members of his party believe that there were irregularities there. They believed that it was both their right and their responsibility to point out these irregularities.

These protests have been submitted to the bodies in the OSCE who are there to determine them. I am sure they are looking into

them right now. There is a 72-hour period when such challenges need to be dealt with.

Obviously I am not going to describe their reaction as we have not seen it yet, but I can at the same time tell you, and over the last week I must have spent 10 hours, most of it alone, with President Izetbegovic discussing how the elections are affecting the situation in Bosnia-Herzegovina.

I can tell you that President Izetbegovic and his party believe that the elections have provided them with a foundation for moving forward and that however the challenges are decided, they are committed to moving forward to the next stage of building institutions.

Chairman GILMAN. Mr. Secretary, when does that 72-hour period end?

Mr. KORNBLUM. I think Mr. Frowick announced the results, if I am not mistaken, about early afternoon yesterday in Sarajevo, so it would have begun then. It would last until the beginning of next week, at which time he is then obliged, as part of the procedures, to state whether he certifies the results or not.

The next important step after the 72-hour challenge period is over is the announcement of Mr. Frowick of the certification of the results.

Chairman GILMAN. Mr. Secretary, there were some distressing press accounts a few weeks ago that the OSCE provided some \$200,000 to a candidate in Srpska representing a party of the notorious Arkan, a chief suspect in many of the war crimes and a wanted criminal in several European countries.

Were any of those funds provided by our Nation, and can you possibly explain to us the rationale of providing those funds to any individuals associated with Arkan?

Mr. KORNBLUM. First, Mr. Chairman, I can assure you that none of the funds were provided by the United States. We were doing our own democratic support program separate from the common fund which had been established in the OSCE. There were no American funds in that OSCE fund.

We, too, and I hope I do not need to stress, have found the news that Mr. Arkan or his party were receiving funds to be quite distressing. We looked into it carefully. We found out that this was a very broad fund which was passing money out to parties.

Most of the money was going for technical assistance, and the persons who were doing it—the party, needless to say, was not called the Arkan party. It had a euphemistic name. They had not in fact realized that the money was ultimately going to support Mr. Arkan's efforts. Once it was found out, the support was stopped.

It was a mistake, but it was one which was corrected as soon as it was detected.

Chairman GILMAN. Mr. Secretary, are you able to share with us today any of the plans about our American troops participating in a post IFOR security force for Bosnia after December 20?

Mr. KORNBLUM. Mr. Chairman, I can tell you the following. For persons such as myself right now and for the large majority of us who are working on this, we are working on the basis of the time table which was established in the Dayton agreement, which provides that NATO will provide an implementation force for approximately 12 months. We are working very hard to make sure that

the mission of this force which runs for approximately 12 months will be completed.

At the same time, I think it is quite obvious that the situation in Bosnia remains complicated, and we know that there are going to be ongoing security tasks. We have been considering these tasks internally and in discussions with our allies.

At a meeting of defense ministers which will take place in Bergen, Norway, next week, Secretary Perry is going to be discussing these tasks in detail with his colleagues. I imagine that there will be follow-on discussions to that meeting. It will be in these follow-on discussions that the possible mission and obviously also the possible makeup of such a mission will be considered.

It is not possible for me to comment any further on the outcome of these discussions, but only to note that when we talk about security tasks, I think it is important to underline that we are not only talking about military tasks.

The United States, for example, has been and will continue to seek a strengthening of the mandate of the International Police Task Force, which has played a positive role in Bosnia, but has had neither the resources nor the mandate to do what it really needs to do. We will be working very hard to try and make sure that the Police Task Force plays a stronger role.

Chairman GILMAN. Thank you, Mr. Secretary.

I am going to turn the chair over to Mr. Bereuter. We will continue with the hearing.

Mr. KORNBLUM. Thank you.

Mr. BEREUTER. Secretary Kornblum, would that be a 2-year commitment of troops?

Mr. KORNBLUM. I could not comment on that. As I said, the alliance is going to be discussing the security tasks among itself. It is not possible for me to say. I can say that—

Mr. BEREUTER. So no decision has been made?

Mr. KORNBLUM. No decision has been made at all, no.

Mr. BEREUTER. Now, I understand the international community may seek to revise the powers and the duties of the High Representative to strengthen Mr. Bildt's position and authority to carry out the Dayton mandates.

What is the U.S. position regarding the strengthening of Bildt's mandate or anyone who might serve in that capacity?

Mr. KORNBLUM. Well, we think that after now 9 months of experience that the implementation structure needs to be looked at and that some lines of authority should be made clearer. We believe that the mandate of the High Representative has been a good one, but it probably needs to be improved in some areas.

There will be as part of not only our strategy, but the overall strategy of the international community, a series of discussions through October and November leading up to a meeting in London, probably to be held sometime the first week or so of December, at which both the civilian commitments and the implementation structure for the following year will be agreed.

I am absolutely certain there will be some changes and probably some strengthening of his mandate.

Mr. BEREUTER. Secretary Kornblum, as you probably know, there is a lot of concern among my colleagues on this panel and else-

where in the Congress about the performance of the High Representative.

What we do not understand is how much of it relates to Mr. Bildt, the former Prime Minister, and how much of it relates to the task and to the authorities that he has been given. That is something we would like to have a clarification on as soon as the Administration is willing to come up and visit with us in a closed-door session.

Mr. KORNBLUM. I would be very happy to do that at a time that is convenient to us, Mr. Representative.

Mr. BEREUTER. Thank you. I also understand the Administration has been looking at revising the mandate of the U.S. International Police Task Force (IPTF).

Could you outline what the U.S. position is regarding the changes you wish to see for the new IPTF? For example, could you state whether the IPTF will be given a mandate to arrest war criminals indicted by the International Criminal Tribunal for the former Yugoslavia? I point to that as an example, and I would welcome a broader reply.

Mr. KORNBLUM. Yes. As I just mentioned, we believe that the IPTF has an increasing role to play. We believe that its mandate was drawn too narrowly in Dayton, but that is often the case when you have a very complex negotiation. Also, it was not necessarily possible to anticipate everything.

We are working quite hard to make sure that the IPTF is put on a better financial footing, that its staffing is stronger and that its mandate is also clearer. There are a number of not necessarily dramatic things that need to happen.

It needs to have a clearer authority vis-a-vis local police. We believe, for example, that its members should also be armed, at least some of them. We believe that it should be organized so that it can in fact take, if you will, a rapid reaction role. We believe also that its role in ensuring, if you will, the vetting of the local police forces is clearer. There are a number of things that can happen.

The question of arresting war criminals is something which is done in connection with the tribunal and in connection with the international community. We have had discussions, but I do not think it would be appropriate for me right now to say whether we think the IPTF should do it or not simply because the discussions have not been concluded. I might give an impression of a decision which actually has not been taken.

Mr. BEREUTER. I will turn now to Mr. Hamilton, the ranking minority member, who has waited too long for his questions.

Mr. HAMILTON. That is fine. Thank you very much, Mr. Chairman.

Mr. Ambassador, we are pleased to have you. I think we are approaching a year or so—a little less, I guess—from Dayton. I know you had a major role to play in the drafting of the Dayton accords.

I would be interested in your overall assessment 10 or 11 months after Dayton, the pluses and the minuses. How has it measured up to your hopes, and how has it disappointed you?

Mr. KORNBLUM. Thank you, Representative Hamilton. That is an interesting question. You are right. Obviously I do have some feel-

ings about this since I spent a great deal of time helping to put the accords together.

I would say first that as an overall assessment, I would note that the Dayton agreement is a new kind of effort. It was begun on the basis of a commitment by the President of the United States and the NATO alliance to provide a military force not simply to come in and stop a war, which we could have done at any other time, but to stop a war on the basis of a peace process.

In other words, it was not simply an agreement by the parties to sign an armistice and then have a force sort of monitor what they were doing. Rather, we first worked out an entire plan leading to the establishment of sustainable civilian structures, economic and political.

I do not think this has been done in this fashion before. There are other similar processes, as I mentioned, but this is the first one which did everything, including containing a constitution for the country, including describing how the government would operate and including commitments in areas such as human rights, freedom of movement, etc.

It was very much an amalgam which was based on the new spirit, if you will, which has come out in the post-cold war era.

Judged against those standards, I think that we should be quite satisfied with the application of western military commitment, and again the United States is only one-third of the IFOR force, so it is very much a coalition effort. It includes 16 non-NATO countries, including Russia. This application of judicious military force based on a clear political goal has in fact worked out quite well.

As we pointed out several times on the 14th of September as the elections were taking place, it was about exactly a year earlier that the NATO bombing had stopped and that the war had started to wind down.

In hardly a year, we had moved from a situation of total confrontation and really total bitter warfare to a day when national elections could be held on four separate levels for a number of offices and be considered credible elections.

Mr. HAMILTON. Where are you disappointed?

Mr. KORNBLUM. I think where the parties, if you will, have disappointed us, and I would say all parties, is in not being willing to overcome their dug-in interests, rivalries, hatreds as clearly as they should be expected to.

Now, one might say maybe we were naive to believe that they would do so so fast, but I think even on the basis of the commitments that they made a year ago, it has been a very hard job to make clear that this is all in their interest. It is their responsibility.

Mr. HAMILTON. Underlying Dayton, of course, was the concept of a multi-ethnic, multi-cultural society, democratic principles, highly decentralized. The criticism made thus far, of course, and I guess the criticism of the election itself is that what you are really doing is legitimizing—

Mr. KORNBLUM. Yes. Yes. I have heard that, too.~

Mr. HAMILTON. —the partition of Bosnia. How do you look at that? How do you respond to that?

Mr. KORNBLUM. Well, now you get into the phase of judgments. Some people have criticized us, including a member of your panel earlier, to say that we have scaled down expectations. I honestly do not think that is a legitimate criticism.

I have in fact checked back. Obviously there was a great deal of positive emotion when the Dayton agreement was signed, and we described the foundation for this agreement as being separate communities who would then build common links and build an inter-ethnic society. That is exactly what we said then.

Mr. HAMILTON. Do you think that is happening?

Mr. KORNBLUM. It is happening, but not as clearly as a lot of people expected.

Mr. HAMILTON. Let me take a specific case, if I may. President Plavsic was forced to retract statements made by members of her party to the effect that the Bosnian Serbs had no intention of remaining in Bosnia. They wanted to unify with Serbia. Then on election day she said they intended to participate in a Bosnian-wide arrangement.

What is your own sense there? Is there any real intention on the part of the Serb Republic to remain in Bosnia and try to make this multi-cultural Bosnia work, or are they just waiting for time and going to join up with Serbia?

Mr. KORNBLUM. Well, I think that there are obviously probably a lot of people there who would love to find some alternative future.

The reason I went back to the concept or the philosophy of this agreement is the agreement and the international commitments which are part of it have, I think, demonstrated quite clearly that there is no alternative future. I do not mean that only in a sense of forcing people into something.

What the Dayton agreement did, and remember that it was also signed by the Presidents of Croatia and Serbia, was to build both an internal and an external coalition, if you will, with commitments to maintain a single Bosnia-Herzegovina and with incentives to do so.

This is not an agreement which is based either on total force on the one hand or total, if you will, idealism on the other. It is, I think myself, a quite hard-minded agreement, a tough-minded agreement, which understands that if you are going to take a country like this which has been ripped apart, you have to have a combination of clear pressure, but also incentives. It has both of those in it.

Mr. HAMILTON. The incentives are largely economic?

Mr. KORNBLUM. They are economic, but they are also helping to restore the conditions of normal life such as railroad and telephone connections, such as electric power.

Mr. HAMILTON. When you say there is no alternative, why is joining up with Serbia not an alternative for them?

Mr. KORNBLUM. There are two reasons why joining with Serbia is not an alternative. First, because President Milosevic has understood in the period we are talking about—I cannot talk about 20 years from now or 10 years from now—in the period we are talking about, he knows that his own political future and that of his country would be in great danger if he tried to do that.

Second, that is why I talked about the broad coalition. If you look at the situation of the Republika Srpska, it is sort of a salamander type existence, the economic structures which exist there. Even the option of joining up with Serbia is not an attractive one. The most populous and in fact prosperous parts of the Republika Srpska are economically oriented towards Croatia.

To say that we are simply going to leave this Bosnia and join Serbia or become independent would leave them really an isolated and not viable island in the midst of a much broader world.

Again, maybe as one final comment on my part on this. The emotions and the rhetoric are going to continue, but the reality of the situation created by Dayton really if you look at it focuses entirely on creating a single Bosnia-Herzegovina, whatever some of the long-term feelings and even hatreds which exist in that country are.

Mr. BEREUTER. Thank you.

Because of circumstances, we recognize two majority members in a row. We will call, therefore, on Mr. Moran.

Mr. MORAN. Thank you, Mr. Bereuter, and thank you for your genuine and intense interest in this Bosnia situation.

I wanted to ask Mr. Kornblum a question about the war criminals that had undue influence over the Serbian results in this election. I know that Ambassador Kornblum believes that you cannot have a sustainable peace without justice and that war criminals need to be brought to justice.

John, why did IFOR not pick up Mladic and Karadzic at the polling place where they voted when they voted?

Mr. KORNBLUM. First as to whether they voted, you may have more up to date information than I do. I think it has been more or less substantiated that Karadzic voted. I have not seen a substantiation that Mladic voted. Again, maybe you have seen something I have not seen.

Mr. MORAN. No. I did not see that Mladic voted, so excuse me. We know that Karadzic voted.

Mr. KORNBLUM. We do know that Karadzic voted, or at least we have a pretty good substantiation that he did.

First, I, in the days before the elections, visited all of the senior military authorities. I spent a whole evening in the control center of the RRC, the Rapid Reaction Corps, with General Walker and discussed this issue. There was no doubt that the IFOR soldiers who were dispersed through the country had the mandate to arrest them, just to make that very clear. I, myself, asked exactly the same question that you did and got the answer.

At the same time, it is important to remember that IFOR was not at every polling station. Even their approximately 40,000 troops could not cover everything. There were 4,400 polling stations. They had a strategy of guarding routes and of having sort of point-to-point security, but not at every polling station.

Karadzic voted apparently in Pale, which had 44 polling stations. He was free to choose any one of them. This was not a district election. It was a national list election, and he could vote at any polling station.

Assuming that he did vote at one of these polling stations, he did it, quite clearly, when there was neither IFOR there, nor were

there any international observers there at that time, so he was in and out before it would have been possible for there to be any reaction whatsoever, assuming again it happened as we assume it happened.

Mr. MORAN. But there is no question that had there been any IFOR people there or international observers, he would have been arrested?

Mr. KORNBLUM. There is absolutely no question about it. As I said, I spent a whole evening looking over the election plan. I went there with that question clearly in mind, and I got a very clear and definitive answer not only from General Walker, by the way, but the next day from Admiral Lopez, who, as you know, is the overall commander of IFOR.

Mr. MORAN. Mr. Karadzic, I understand, attends the Serbian Orthodox church services each Sunday. Now, maybe it would be politically incorrect to arrest him at that point going in or out, but there are regular functions that he performs; in fact, even speaking to some Croats.

I feel in some ways that I am preaching to the choir here. There is no question in my mind that you agree that he needs to be arrested, that in fact there is at least a perception that he is functioning with impunity, that he goes about the Republic speaking to groups. As long as he is there, he is essentially snubbing the rest of the international forces that have conducted and support the war crimes tribunal.

You can respond to that if you want. I am not intending to be critical of your policy, but I do think that there is a serious perception. If it is a misperception, I think we should put that on the record. There is a serious perception that if we really wanted to arrest him, we could and would.

The second perception, and this may be less of a misperception, is that there really is a two-track policy with regard to Bosnia on the part of the United States. One is to pursue the Dayton accords.

The other is a recognition that in doing so we are more than complicit in the ethnic division of this area of the Balkans and that in fact we are endorsing the policy that is ultimately going to give more control to Milosevic and Karadzic and those folks who are their titular representatives of political nationalism, as well as to Tudjman.

Now, can you disabuse us of that perception that there is such a two-track policy? Of course, perhaps it was best articulated by Peter Marson in that article in the Outlook section that I think many people read and found difficulty in disagreeing with.

Do you want to respond to that?

Mr. KORNBLUM. Yes, I would be happy to. First, just two words on Karadzic. First, we are obviously not satisfied that not only Karadzic and Mladic, but a number of other war criminals, have not been arrested. I can assure you that this is not something that is going to drop out of American policy. You will see some action initiatives on our part coming very soon to make sure that there is an international coalition to get the arrest of a large number of war criminals.

Karadzic does not move around the country with impunity. I would just take a slight question of that phrase. All the informa-

tion we have is that he spends his time moving from residence to residence worried about IFOR patrols. IFOR is active in Pale where he is. He does not appear publicly, and he, in fact, feels quite under pressure from IFOR.

What has not been possible, as you say, is to find him immediately and to arrest him. I have again sat, and I can tell you, both in Bosnia and here in Washington with American and IFOR military officials to see how they are doing it and to be also informed about the difficulty, even if you know he is in a city, to mount enough forces and to be, shall we say, quick enough to find and arrest him without committing major, major forces to the project.

I know it has been a controversial issue, but I, myself, am convinced that IFOR has done a very responsible job within its mandate of making sure that in particular Karadzic does not feel that he has the run of the country.

Now, your question about the divisions in the country is, of course, one of the basic questions of this whole process. I would go back to the comments that I made earlier that the Dayton agreement was not meant to be a military occupation, and it was not meant to be, shall we say, a basic nation-building agreement which was supposed to change hearts and minds of people before the political structures were put into place.

One might argue that that is what should have been done perhaps like the occupation of Germany after World War II, but the war in Bosnia did not end in the total defeat of any of the parties, and it also did not come at a period in history where total and long-term military occupation of countries is what the international community believes needs to be done.

We are not in a period of building up, if you will, failed societies from the ground up with long-term occupation. Rather, we are in a period where the responsibility of parties, and that I will stress again, is one of the basic concepts of Dayton. If you look at the Dayton agreement, it is a request by the parties of the international community to help them with their own reconciliation, not the other way around.

Nine months into the process, tremendous strides have been made, but it is not possible to say that the pain and the hatred of the wartime era are overcome or that, for example, Bosnian Muslims who are living in Germany or Switzerland can feel free to go back to Banja Luka or Brcko or wherever without feeling that both their security and their comfort is in danger.

This is part of a political process and part of a healing process. I am actually quite convinced that we are moving in that direction.

Those who say that we are strengthening the division I would argue have to then tell us how to do it without what is essentially a military occupation. This is a process of healing and reconciliation which is going on based on what we believe are strong pressures and incentives to do so.

The fact that these elections were held as easily as they were, the fact that there is cooperation going on in some municipalities, the fact that normal economic connections are beginning to be established is to us a sign that the process is in fact moving forward.

If you ask me is there now a willingness of Serbs in Banja Luka or Muslims in Tuzla to live openly and freely with members of the

other nationality, I can tell you without any hesitation no, there is not. I think the answer to the question needs to be not are those attitudes still there, but rather is there a process in place to overcome those attitudes. I would say yes, there is.

Mr. MORAN. My time has expired. Thank you, Ambassador.

Chairman GILMAN. Thank you, Mr. Moran.

Mr. Ballenger.

Mr. BALLENGER. Thank you, Mr. Chairman.

Ambassador Kornblum, it seems to me, as I remember, in the Dayton accords there was an agreement to supply arms and train the Muslims so that when we left they would be able to defend themselves. Everybody argued about how in the world were the other two branches going to accept that.

Are we doing what we said we would do in the Dayton accords about supplying arms and training for the Muslim forces?

Mr. KORNBLUM. Yes, Congressman, we are. I would only note that that agreement is not part of the Dayton accord. It is a separate agreement which we concluded with the Federation authorities, if you will, parallel to Dayton.

It is based on two considerations, or actually three. First, there was and still is an imbalance, especially in equipment and in training, between the Serbian forces and the forces of the Federation. We believe that it was not in any way destabilizing to build the Federation forces up to a level that they could defend themselves, and that is what we are doing.

Second, however, this program was based on a framework, which is in the Dayton accords, for broad stabilization and arms control in the region. In other words, we do not believe and would not support the idea of an arms race.

All the training and equipping which we are going to do for the Federal forces will be within the limits which were provided by the arms control agreement. The arms control agreement was designed to provide an equilibrium, so there is a negotiated framework within which this is happening.

Third, we had no intention of supplying arms to the Federation forces to build up two separate armies, a Croatian and a Muslim. We should not forget that some of the worst fighting which took place in Bosnia was not with the Serbs, but between the Croatians and the Muslims.

We believed that by using the incentive of a train and equip program we could also stimulate the building of common defense structures. We have succeeded at that. After a good deal of negotiation, a common defense law was passed. It is now being implemented so that there will be at the command and corps levels of the forces a common structure and also common recruitment, etc., etc. At the lower operational levels, there will still be separate Croatian and Muslim forces, but the command and the defense ministry will be combined.

We think that this is one of the major successes of this train and equip program. I, myself, doubt that we would have achieved this without the incentive of the training. That has been a very important, if you will, supporting benefit of our basic goal, which is to make sure that the Federation forces can defend themselves.

Mr. BALLENGER. In other words, you think that there will be enough training and equipment put forth so when IFOR leaves in December that they will be able to defend themselves?

Mr. KORNBLUM. We are quite convinced they will, yes. We have had good support from a number of other countries. The United States is also putting money into it. Both the training and the delivery of armaments has begun.

Again, I come back to the point that this is all based on the responsibility of the parties. Assuming that the parties accept what we are offering in the spirit in which it is being offered, and I say that because there have been some problems, to be quite honest with you, which have nothing to do with the Serbs, but with internal things inside the Federation.

Assuming that this is accepted in the spirit in which it is being offered, I believe that the forces will be very capable of defending themselves once the program is completed.

Mr. BALLENGER. Let me just ask one more question. Statistics have been mentioned where 70 percent of the people voted. Recognizing that substantial numbers of refugees are all over the country and also outside of the country, first of all, to get the total population that was capable of voting would seem to be almost impossible.

Second of all, I know we saw on TV where substantial numbers of buses were moving people back and forth. Is there any way to say how many refugees are outside of the country that obviously should have been classified by voters? Did they come back from Hungary? Did they come back from wherever they might have been?

Mr. KORNBLUM. Congressman, there was a rather complex procedure that was set forth. The foundation for the election was the voting rolls obtained from a 1991 census, which all sides agreed was an accurate census. Now, the tragedy is, of course, that a lot of people on those rolls are now dead. A lot of others are in other countries, but it was a base point from which to start.

The Dayton agreement provided various ways for persons to vote by absentee ballot, by going back to their cities, whatever. Over 600,000—I think the ultimate number was something like 642,000—refugees were registered outside of Bosnia, including over 10,000 in this country. The election in those places began a week earlier, and the ballots were collected and were delivered to Sarajevo by the 14th, so they were there to be counted.

For those persons who no longer lived in their homes but were still in Bosnia, they were able to vote by absentee ballot in their homes. For example, a Muslim who lived before at Banja Luka but was now living in Tuzla could vote in Banja Luka. Those persons who had new residences could vote in new residences.

There were a number of procedures. That was in fact part of the complexity of the elections that it was necessary to give people a number of ways to vote. The fact is that over 70 percent of those who were deemed eligible did vote. It is, of course, possible that refugees living overseas did not register and did not vote, but, of course, that happens in every country.

We think that a maximum effort was made to identify all persons who could vote. The 70-percent figure is not based on some

vague estimate, but it is based on the pretty good baseline which was provided by the 1991 census.

Mr. BALLENGER. Taking into effect that 100,000 people have been killed there and that a lot of those are completely unknown as to who they were?

Mr. KORNBLUM. Yes. I am not going to say that there was not some chance for misuse here, but, of course, people were forced to identify themselves and to demonstrate exactly that they were who they said they were.

With the large number of persons who not only died of normal causes, but who disappeared, I am sure there was some misuse of that. All observers have said that it was kept within limits.

Mr. BALLENGER. Thank you.

Chairman GILMAN. Thank you, Mr. Ballenger.

Mr. Hamilton.

Mr. HAMILTON. Let me shift your focus a little bit, if I may, first to Cyprus and then to Turkey.

1996 was going to be the year of Cyprus, the year when we made some progress there. In recent months, four people have been killed along the green line.

What are we doing about this? Is the United States prepared now to launch some kind of an initiative to try to resolve the problem in Cyprus?

Mr. KORNBLUM. Congressman Hamilton, we have been working quite hard with the parties in Cyprus and with related countries, Greece and Turkey, to establish the conditions for moving forward. I, myself, spent over a week in the region in April talking with all the parties.

I came back and made some recommendations to the President, which were then discussed with the Presidents of Greece and Turkey, the Prime Minister of Greece and the President of Cyprus, who all visited Washington during April, May and June of this year.

As a result of this effort, plus work with others such as the United Nations and our European Union allies, we came to an understanding that it should be possible now to move forward. The United States for its part identified, I think, unfortunately, with a certain amount of prescience, the whole area of security as the area which had not been treated as much as it should have been.

We also came to the conclusion that a number of the basic elements of a solution were in place, but it was important to move forward on this area of security and also to ensure that all the parties were ready to contribute to that. That, of course, means that the Turkish Government had to be willing to accept arrangements which would lead to the reduction of its forces, etc., etc.

We were making good progress, but then lots of things have happened—a change of governments in Turkey and political instability in Turkey, the situation in Iraq, there are now elections in Greece, in Cyprus itself the incidents which took place and the judgment by President Clerides to our envoy, Mr. Beede, when he visited there in July that the conditions were not yet quite right for the major initiative that we had in mind.

I will stress that when we say major initiative, we mean that the parties will begin a negotiation designed to end in a result, not yet

another series of principles or thoughts or whatever as has happened very often in Cyprus over the years.

Mr. HAMILTON. Well, the chairman and I have been waiting a long time for that major initiative in Cyprus.

Mr. KORNBLUM. Yes. I think what I am suggesting to you is that we have the outlines and content of that initiative quite clearly in our heads, but there is no sense in starting it if it is not going to succeed.

Mr. HAMILTON. Why do you say that? Are we getting such negative signals? From whom are we getting negative signals?

Mr. KORNBLUM. From President Clerides himself, for example. He feels that his whatever—I am not going to characterize why he believes it because that would not be fair of me, but he has told us himself that he believes that the political firmament is not quite in the right place to do this now.

The important point here is that we are not giving up on this. Mr. Beede is going back quite soon to the region to pursue it. Our new ambassador—

Mr. HAMILTON. When you speak of the negative signals, you only mentioned President Clerides. Are you getting any negative signals from anybody else; the Turks, for example?

Mr. KORNBLUM. Well, in Turkey, of course, the political situation has become quite unclear. It is not clear to us whether the hard decisions could be taken which would be necessary to move forward.

Mr. HAMILTON. On Turkey itself, I would like you to talk a little bit about U.S.-Turkish relations and whether or not those relations have hit a rough patch.

The papers are reporting that Turkey refused to let the United States use the air base there for the military actions against Iraq. They also report that the Prime Minister refused to see the Secretary of Defense, Mr. Perry. What is going on here?

Mr. KORNBLUM. Well, I think it is safe to say that Turkey is in an uncertain situation at the moment for a number of reasons. There has been an ongoing political controversy and even confrontation. A new and controversial government has come into power. The economic situation in Turkey is quite unsteady, and there are concerns, including among ourselves, that Turkey has to take some very hard economic decisions aside from everything else if its economy is going to remain stable.

We need not talk about the difficulties in Iraq, and there is also obviously continuing tension in the Aegean.

Mr. HAMILTON. Is it correct to say that Turkey really does not much like Operation Provide Comfort, but they continue to do it because we put a lot of pressure on them to do it?

Mr. KORNBLUM. In this case, it is not possible to say Turkey. There are groups in Turkey, including some of the opposition parties, who do not like Operation Provide Comfort.

Mr. HAMILTON. What about the government?

Mr. KORNBLUM. The government has continued to support it, has extended it and is working with us to make sure that it continues, but they are under a good deal of internal political pressure to either scale it way down or to stop it.

We have had very good cooperation with them, and I think it is safe to say that both the political and the military side in Turkey sees the advantages of a—

Mr. HAMILTON. And the problem in the southeastern part of Turkey? Do you think Turkey is seeking a political solution or only a military solution, and what are we saying to them?

Mr. KORNBLUM. Well, we say to them quite clearly that there has to be a political solution, and we are assured continuously, including by the new Administration, that that is what they have in mind.

The situation in the southeast is, as you know, emotional and violent. There have been a number of incidents both by the military and by the local police forces which we do not support.

Mr. HAMILTON. Do you think, in fact, the government is seeking a political solution?

Mr. KORNBLUM. I think the government wants a political solution. I think that at the same time, they are concerned about how far they can go, given the violence which takes place there and given the controversy about it. They have not gone as far as we want in moving towards that.

Mr. HAMILTON. They say the problem in southeastern Turkey is the PKK. How do we respond to that?

Mr. KORNBLUM. Well, I think the PKK is a problem. The PKK is a terrorist organization. We have said so. We understand and there are enough documented examples of true terrorist acts which the PKK has done.

They also have pointed out to us for years that one of the reasons that there is a fertile ground for the PKK is the economic dislocation created in southeastern Turkey for the boycott of Iraq and the closing of the pipeline. As you know, we had a discussion with them about that recently.

We understand that it is not a simple solution and not a simple situation. At the same time, we have made very, very clear to them that some of the methods which we have seen and we have evidence of at the strong emphasis on security is not necessarily the way to do this and that we expect them to be taking also broader approaches to it.

Mr. HAMILTON. Do you think the government of Turkey is committed to a political solution to the problem in the southeast?

Mr. KORNBLUM. I think they are, but we are not taking words as enough. We are also—

Chairman GILMAN. Thank you, Mr. Hamilton.

Mr. Secretary, since the ranking minority member has raised the issue of Cyprus, there were several reports over the weekend that some Turkish troops were massing along the Cyprus border. Maybe you could comment on that.

There is also a report of a shipment of modern tanks from Russia to Cyprus. Can you comment on that for us?

Mr. KORNBLUM. Mr. Chairman, I was checking with Mr. Adair who follows this, because I was not here over the weekend.

He tells me that there have been lots of reports of this, that we have been watching it very carefully, and we have not seen any evidence of such massing or of such deliveries.

You can imagine that this is something that we watch all the time whether there are reports or not. We keep a close watch on what is going on there.

Chairman GILMAN. What about the equipment, the Russian tanks, being shipped to Cyprus?

Mr. KORNBLUM. The Greek Cypriots have in fact made some arrangements—this is the Greek Cypriot side—to buy some Russian tanks.

I go back to what I mentioned to Congressman Hamilton before. We have identified the security situation as an area which deserves special effort. We have told the Cypriot Government that we do not think buying Russian tanks is the right way to reduce tensions on the island, and that is one of the reasons that we are pushing very hard on a build-down of the military situation.

Chairman GILMAN. But there has been an—

Mr. KORNBLUM. There has been an agreement to buy some Russian tanks.

Chairman GILMAN. Do you know how many?

Mr. KORNBLUM. I personally do not. The agreement I am told is for 40, and the first shipment is supposed to arrive sometime soon.

Chairman GILMAN. Just one other question. There has been a great deal of criticism about the infrastructure buildup in Bosnia on the civilian side and how slowly it has been going. Can you comment on that?

Mr. KORNBLUM. Do you mean the economic reconstruction?

Chairman GILMAN. Economic and also the governmental structure.

Mr. KORNBLUM. First, to take the economic reconstruction. I think that it has been slower than it should have been, but there were a number of reasons for this, including getting international donors organized, including setting up the structures in the country.

I am quite satisfied that our own American aid effort from AID has gone smoothly and is being applied to the places where it was designed to be applied and that the money that we have had appropriated for it is being put to good use.

Also, I can tell you that we have been working as the United States with the international donors to smooth out the procedures on the ground. The President appointed Mr. Richard Sklar as the special representative there on economic reconstruction, and he has had a really major impact on making sure that there is a smooth delivery of aid to the region.

I still would not say it has been fast enough. This is one of the areas which we are going to focus on even more now that we are starting to build the structures.

As I mentioned before, one of the most important things is going to be to set up central economic structures, including a central bank, so that the aid will go to common projects through a common structure rather than being separated through various donors for various purposes. I think you will find that that will improve the situation considerably.

Chairman GILMAN. I hope you will be focusing on that. For the last few months, we continually hear criticism of how far behind the infrastructure buildup has been compared to the military.

Mr. KORNBLUM. Yes. I think that is legitimate criticism. As I said, because we knew that that situation was there, we have a special representative who has been there for 3 months. He has had a major impact, I am proud to say, and I think he is helping to make things work better.

Chairman GILMAN. Mr. Secretary, we thank you. We wish you well in your new endeavors, and good luck in your new office.

Mr. KORNBLUM. Thank you very much, Mr. Chairman.

Chairman GILMAN. We now turn to our next witness, Diane Paul of Human Rights Watch. If Diane Paul would come to the witness table?

I want to thank Ms. Diane Paul of Human Rights Watch for appearing at today's hearing. I understand Ms. Paul just returned yesterday from Bosnia where she was assisting our staff in assessing the situation there.

While she may be suffering a little from jet lag, I am confident that her first impressions of what is happening in Bosnia will be of great interest to our committee.

Ms. Paul, you are free to summarize your opening statement or read it in full. In either case, it will be entered in full in the record.

Thank you for being with us.

STATEMENT OF DIANE PAUL, RESEARCH ASSOCIATE, HUMAN RIGHTS WATCH

Ms. PAUL. I would like to thank you, Mr. Chairman, and members of the committee for this opportunity to speak about human rights in Bosnia during the elections and beyond.

I would also like to thank you, Chairman Gilman, for the determined efforts of your staff in Bosnia this past week to intervene in a very significant way in the search for Father Tomislav Matanovic, a Catholic priest who disappeared, along with his elderly parents, 1 year ago this very day.

It is in fact a very sad anniversary, and yet as you and your staff have demonstrated, it is not a time to quit. It is a time to demonstrate our seriousness about finding out the truth, protecting people from further abuse and about bringing those responsible for such acts to justice.

I have just returned, as you mentioned, last night from Bosnia. Since 1993, I have spent more than a year in the region and have worked on refugee and human rights issues related to Bosnia since 1992.

I agree with those who claim that we have come a long way since this time last year when, for example, Arkan had arrived in Sanski Most and was beginning yet another campaign of terror. I myself in fact investigated the activities of Arkan's forces, who worked very closely with Radovan Karadzic's special police and with local police to finish the job that they had set out to do in 1992.

It is incorrect, however, to think that we have made a great deal of progress in the area of human rights since the beginning of the Dayton agreement last December or to equate one day of freedom from violence with fulfillment of the requirement for free and fair elections.

For the months and weeks leading up to the election, opposition leaders suffered intimidation and direct attacks, access to the

media was extremely limited, voter education was very poor, and the voter registration process, especially on the Republika Srpska side, was a complete fiasco.

I have here, in fact, copies of Republika Srpska official documents for anybody who is interested in having them. These are from the town of Doboj, Mr. Chairman.

Chairman GILMAN. We will make them part of the record without objection.

Ms. PAUL. That is fine. I can just read one small section from this document, which comes from the Municipality of Doboj and is official.

Basically what they say is that "the Ministry for Refugees and Displaced Persons—Doboj Department—is obliged to provide with apartments these categories of inhabitants of the Municipality of Doboj by submitting to them Form No. 2," in which it is seen that a refugee person is registered in the provisional voters list.

The Municipality of Doboj has no interest to provide with an apartment or a house a refugee population who has no intent to live in it permanently. That is, each person from the refugee population who is not registered on the provisional voters list is, according to the Dayton agreement and the rules of the Provisional Election Commission, assigned to vote and to return to the municipality he or she fled.

It is ordered to the Ministry for Refugees and Displaced Persons—Doboj Department to make a revision of those so far issued certificates. All government and municipality bodies are bound to condition their administrative services, "(and might I add this includes humanitarian aid, food and shelter), by submitting Form No. 2 in which it is visible that refugee population was registered in the provisional voters list."

You can see what an organized effort was made to ensure that refugees and displaced persons did not have the right to vote where they wished. Rather, if they wanted to be fed and sheltered, they had to vote in Republika Srpska.

There were other reports as well of such manipulation. Voters who were interviewed on election day near Zvornik stated that while all of them were coming to vote in the town of Milici—this is near Zvornik—not one of them had lived there before the war, and not one of them said that he intended to move there. These were the conditions set for voting by the OSCE—that they were supposed to intend to live there in the future.

In fact, we were told to vote here because it is our duty, said one Serb voter. "I do not ever want to live in these boondocks. There are more wolves than people here." They admitted that they had been bussed by the Serbian Democratic party so that Serb voters were sure to outnumber Muslims, who were also present.

In Gorazde there were problems as well. A European Union delegation said that thousands of voters had been unable to cast ballots because of problems with registration lists.

In fact, I observed this in a polling place outside the town of Prijedor where a number of Bosniaks had bravely crossed over the IEBL, but when it came to the time to vote, they were not able to because their name did not appear on the new list. It appeared on the old list, which, of course, was not available at the polling place.

When a human rights worker for OSCE and I tried to explain this problem to election supervisors from OSCE, they basically had no interest in solving this problem at all and in fact told the human rights worker that if she wanted to solve it, she was welcome to try to do so.

He (the elections supervisor) also pointed out that there was a remedy. If the voter could not cast a vote because their name appeared on the first list, which was not available, they could travel into the town of Prijedor if they wished and could there fill out a form in triplicate and present it to the municipal authorities, at which point those authorities could grant them permission to vote.

We explained to the election supervisors that no Bosniak in his or her right mind would take it upon themselves to walk because no transportation was provided or permitted beyond this certain point. No one in their right mind would walk—with a Serb policeman every 100 meters—into the town from which their family had been ethnically cleansed so that they could apply for permission to cast their vote. Therefore, many of them, very disappointed, returned across the IEBL.

I observed people who were so frightened of voting that they were literally shaking. Unfortunately, a lot of people did not feel secure enough, I think, to cross over to vote, or they realized at the last moment that their vote would have to go for a Serb candidate. I think a lot of voters simply did not realize that if they tried to go home that they would not be able to vote for whom they wished.

There have been very few real consequences over the past months for very serious infractions of Dayton and the elections rules, including the code of conduct.

Ambassador Frowick and others may point to the lack of violence on election day as evidence that the local authorities were willing to cooperate with international organizations and were willing to assume appropriate police roles. True, they restrained or refrained from direct intimidation of voters crossing the IEBL, but, you see, they had very little to worry about. Nearly all the conditions they demanded were agreed to by the international community.

Cross IEBL voters in Republika Srpska, for example, were not allowed, and I have to disagree with Ambassador Kornblum here; they were not allowed to go into the towns where they were from to vote. In fact, there were specific polling places stationed just across the IEBL, and they were specifically designated for Bosniaks or, as the Serbs refer to them, "foreigners".

They were only allowed to proceed into the territory a certain distance, as also demanded by the Serb authorities. They needed the protection of IFOR, which stood by in impressive numbers with impressive force. They were not allowed to travel on undesignated routes except, as it was quite pointedly stated, "at your own risk".

Bosniaks in the polling places I observed, as I said, were denied their right to remedy technical problems with voter registration lists.

Warnings about election day violence were heeded by the international community, and it was fortunate that no serious violence occurred. The fact that these warnings had to be given due to very serious threats against voters by RS officials and that an overwhelming IFOR presence was necessary to ensure security dem-

onstrates the poor progress that has been made since the Dayton agreement in respect for human rights.

One relatively violence-free day also has little relation to the will of the authorities to stop human rights abuses. One day of concerted effort by the international community to protect voters is not an indication of a long- or even short-term commitment. As we are constantly reminded by various international organizations when we call on them to take steps to assist civilians under direct threat, "it is not our mandate".

Frowick determined that the election was a success because, "No one got shot," but what about the past 8½ months? Why did IFOR not take action when Serbs were being burned out of their houses in the Sarajevo suburbs? Where were they in May and June when Muslims in the villages around Teslic were being forced out in a deliberate campaign of violence?

What the international community has demonstrated is that we are generally willing to protect people when it serves our own political purposes, but not when it is perceived that action on behalf of human rights may interfere with whatever political process we are about.

Within the past month, two Bosniaks were murdered in police custody in Banja Luka, and the local police chief, Stojan Davidovic, when informed by the International Police Task Force that the officers responsible for these two murders to be removed from duty, responded by saying, "Not according to the laws of Republika Srpska."

One man, Hasan Kojačević, was beaten to death in police custody. Another man who disappeared, when his wife called the local police station to find out what happened to him was told that his body could be found stuffed in a refrigerator in the local cemetery. Indeed, that was where he was found.

To this day, the Republika Srpska authorities in Banja Luka have not provided the International Police (ITPF) monitors with the details of their investigation, and no arrests have been made.

There is something perhaps even more appalling. The day before yesterday when I was in Banja Luka, a U.N. monitor involved with the case revealed to me that the local police not only had not shared any information, but that he had been informed by his superiors—apparently the directive came all the way from Sarajevo—to not rock the boat by pursuing the case too vigorously before the elections.

What he told me is that human rights have become highly politicized and that in fact a lot of information is not shared publicly because nobody wants to rock the boat and make it appear that things are not going as well as the Administration would have us believe.

Other human rights monitors have also told us that they have been advised not to share information or push too hard in the field. In the meantime, the families of victims have no answers.

Let's not forget that these elections were preceded by months of harassment and intimidation of opposition party leaders and members by almost complete obstruction of freedom of movement and access to the press and by serious manipulation of the elections process.

Eight months have slipped away without significant progress being made on the civilian side of the Dayton agreement. Before we know it, the Dayton year will soon be over, and we will have even less leverage than we had before.

Despite the presence of literally tens of thousands of international, human rights abuses have continued in Bosnia in a form of low-intensity warfare, one might say. The rule of law simply does not exist throughout most of Bosnia. Police serve as instruments of the political hardliners and commit abuses with impunity.

The courts either fail to provide any guarantee of equal treatment to minorities or for those who just simply do not have any connections, or the police or local officials refuse to enforce the orders of the court.

These problems have not been addressed in any practical way. Central structures such as the Constitutional Court have been created, but they are not likely to function for many months.

In my discussions with experts on these issues, they frankly have no idea how they will function in terms of actually bringing cases before these courts. It will be very difficult for individuals to seek justice or redress through these structures, which are very unwieldy and which have very little relevance at the field level.

In the interim, the policy on the Republika Srpska side of forcing out all non-Serbs has remained the same. Only the methods have changed. The ultimate effect, of course, is the same. On the Federation side, intimidation and harassment of minorities has actually increased rather than decreased since the signing of the Dayton agreement.

Soon there will be no minority communities left at all, making repatriation an even more distant possibility. The words "right to remain" do not even appear in the Dayton agreement. In the meantime, there are well over half a million refugees in Europe who may be kicked out soon, but where will they go? To central Bosnia, which is already overcrowded? This will not do much to further the cause of peace.

In our most recent report, we described the ethnic cleansing which was being conducted by Bosnian Serb authorities in the Teslic area on the RS side, by Federation authorities in Sarajevo, and also by RS authorities in Banja Luka. By the time IPTF and IFOR finally intervened through practical protection measures like joint patrols in Teslic, most of the people had already left. The sad thing is that their departure could have been prevented had someone acted sooner.

In fact, we have seen very positive results from joint patrols made by IPTF and IFOR in these areas. For example, we found out that as of June, 1996, there was still forced labor going on by Republika Srpska authorities of minorities in the area around Teslic. IPTF, together with IFOR, intervened, and they succeeded in stopping the forced labor, which just demonstrates what they can do when a concerted effort can be made.

In Banja Luka very recently, for the first time since the Dayton agreement, UNHCR representatives were recently forced to evacuate out of the country to Croatia 31 Bosniaks who had been evicted from their homes. This is the first time since the Dayton agreement

that minorities have had to be evacuated by the international community.

The Bosniaks were recently forced from their homes in Banja Luka, and it appeared that there was absolutely no possibility through the courts or otherwise for them to return to their homes. The threats against them were so significant in the supposedly moderate City of Banja Luka that UNHCR felt it necessary to take them out.

Where is justice? Those responsible for the very organized, very systematic ethnic cleansing campaigns during the war are still in charge. They continue their activities as they please with only brief intermissions where a pretense of cooperation is given.

The international community buys it because everything has to appear as if it is going well. Things are not going well, though, for Serbs in Sarajevo, for Croats in Bugojno, for Muslims and Croats in all the towns where there are any non-Serbs left in Republika Srpska, for Muslims in West Mostar, for Serbs who dare to cross the IEHL into Sanski Most. I could go on for hours.

There have been recent deaths in police custody, beatings, arbitrary arrests and detention, bombings, grenade attacks. There has been dismissal from jobs, denial of health care, refusal to provide identity documents and many, many, many illegal evictions.

The population of displaced persons has grown tremendously since the signing of the Dayton agreement, and all sides have engaged in the corrupt practice or politically motivated resettlement where members of one ethnic group are forced, encouraged or even paid incentives to settle in places for the express purpose of preventing another ethnic group from returning.

What have we done about it? We have created commissions for everything, but they have been so slow to get moving that they have been almost completely ineffective in their efforts. It will be too late to save the minority community by the time they get going. There is lots of monitoring and reporting going on, but little action.

During this trip, however, I could see that the attitude of many internationals on the ground is one of concern and interest in taking a stronger role. Let's allow them to do it. Let's strengthen the mandate of IPTF and ask IFOR to take part in actions to preserve minority communities which are still right now under threat. Let us send the message to those responsible for these abuses that they will be held to the standards which they agreed to.

Having rammed these elections through, the Clinton administration owes it to the Bosnian people to get serious about bringing war criminals to justice, about taking active field level measures to protect the few minorities left and to ensure that the rule of law is established.

This will require the joint effort of many organizations, including IFOR, IPTF, the Office of the High Representative, who has taken a weak stand on these issues, in our opinion, and OSCE. I have to say that what is most of all needed now is leadership, not for our own purposes, but to provide real protection for people under threat in Bosnia.

Currently the OSCE has a lot of power at its disposal and could accomplish a great deal, but the joke going around Sarajevo right

now is that OSCE actually stands for the Organization to Secure Clinton's Election.

The first election in Bosnia is now over. The Administration has argued that now the framework for a democracy has been established. Okay, then let's get down to work. Let's stop letting rhetoric substitute for real action on behalf of human beings who continue to suffer the consequences of realpolitik. Otherwise, we are only building a house of cards.

We have a number of recommendations. Mr. Chairman, with your indulgence, could I just mention a few of those? Thank you, sir.

First of all, what can Congress do to improve the situation for ordinary people in Bosnia? The name of the game, most importantly, is accountability. There are certain immediate actions that should be taken before the municipal elections.

What we have in Bosnia right now is what you might call a protection or a security gap where during the transition between an actual state of war and a civil society there is this gap. As I mentioned, there is no rule of law. Who is going to fill the gap? It is certainly not the local police, no matter what the Administration and other international officials have tried to tell us.

Congress should before the municipal elections call on the OSCE's Election Appeal Sub-Commission (EASC), to strike from the ballot those candidates who have exhibited serious non-compliance with the elections annex of the Dayton agreement and the rules and regulations of the Provisional Election Commission before the municipal elections are held. Fines are not, in our opinion, either effective or appropriate in cases where violations have been serious.

Human Rights Watch encourages voters and non-governmental organizations also to submit complaints directly to the EASC regarding the behavior of candidates during the past months, not just during the period immediately prior to the election.

It is perfectly within the mandate of the EASC to strike those candidates from the ballot who have exhibited serious non-compliance with elections rules. We will be issuing a report in about a week which will name by name individuals in various municipalities throughout Bosnia who have demonstrated serious and protracted non-compliance with the Dayton agreement and the elections provisions.

Second, Congress should call for the immediate removal of police chiefs who have demonstrated serious non-compliance, specifically with regard to the human rights, elections, and refugee and displaced persons provisions of the Dayton agreement, with the laws of Bosnia-Herzegovina, and with the international human rights laws which were agreed upon at Dayton.

The IPTF has planned a vetting process which has not even begun in the Republika Srpska and has barely started in the Federation. IPTF cannot complete this process without significant political will to back them up because, frankly, the Republika Srpska authorities will simply say we are not going to cooperate.

I cannot see Chief of Police Drljaca or Chief of Police Davidovic (in Prijedor and Banja Luka respectively) agreeing to rid their

forces of their own henchmen. It is simply not going to happen without significant political will.

If the police cannot be held accountable for their actions, if they continue to act with impunity, then there is little hope for democracy to take hold. The international community should act now to remove police chiefs who have for 9 months obstructed the implementation of the Dayton agreement, have refused all along to cooperate with the International Police Task Force.

In fact, in my conversations with police both at the commander level and line officer level in Sanski Most, Prijedor and Banja Luka, there has been very, very little cooperation by the local authorities. They do not even know in some cases how many police are on the police force, and they certainly do not know who they all are.

They have not received a shred of information from Sarajevo headquarters about how the vetting process is going to work. They have no instructions on that at all. The IPTF vetting process should begin with the leadership. Without this step, the vetting of line officers is completely meaningless.

Human Rights Watch also feels that there are some mid-range things which should happen. Congress should call for an extended and sharpened mandate for both IFOR and IPTF. These next 2 years, and the next 6 months in particular, are critical for long-term success.

We are approaching a very dangerous period with the Brcko issue looming and also Eastern Slavonia. We are concerned that Brcko could spark armed conflict, and we are worried that the Serb leadership will encourage mass exodus from Eastern Slavonia, not unlike what we saw in Sarajevo. This would be absolutely disastrous for any minorities remaining in Republika Srpska, and in fact our information is that this flow has already started and some Muslims have been pushed out of their homes supposedly to make room for some of these refugees coming from Eastern Slavonia. We are very concerned that the Serb leadership will encourage, in fact, those people to leave Eastern Slavonia.

In terms of IPTF, most importantly, they need support to improve their prestige and strengthen their authority before IFOR leaves. This can be accomplished in part by encouraging more joint operations at the field level. As I said before, where they have engaged in these operations, they have been quite successful. We were very, very impressed on my last trip, which was in March and April of this year, and this trip on the determination and ability of some of the people in the field.

There are very serious problems, however. In Sanski Most, for example, a police officer from the United States, in fact, told me that he would never work for the United Nations again because things were so disorganized. He said they had 15 officers, two vehicles, which he said were in very poor condition, and they had just received a base radio and hand-held communications capability right before the elections. They have a long way to go. They need to be strengthened in terms of resources, especially vehicles and communications equipment.

The IPTF also does not always exercise its mandate and is often unsure of its mandate at the field level. Many officers have ex-

plained to us that they do not really know what is expected of them. They do not really know how hard they can push the local police. This is a big problem.

They must be encouraged to take a more assertive role, but again they need backup. Visible cooperation between IFOR and IPTF in the field will help IPTF gain in stature, especially if IFOR troops draw down gradually so that IPTF does not suddenly find themselves alone out there unarmed and unprepared.

IFOR needs to have an extended mandate with no specified date of departure. I understand the nervousness that is caused by this view, but why not have target dates which are somewhat flexible? We need to bring in more MPs with experience and training in crowd control and who can help guide IPTF on issues that are related to pseudo military gangs, which are in control in a number of areas. Our report which we will release soon, will reveal some details about these gangs and their operations.

We also feel it is important to encourage IFOR overall to take a more active role on the civilian implementation side of things. There needs to be political support from Congress for NATO to take a role in the apprehension of persons indicted for war crimes. Otherwise, Mr. Chairman, it is never going to happen.

I can assure you that no one in Bosnia in terms of the authorities, except perhaps the Federation authorities, who may, as they have in the past, take measures to arrest persons indicted, but I do not see it ever happening in Republika Srpska. I also do not see IPTF taking that role, especially given the weakness of their mandate currently and the fact that they do not have the respect of the Bosnian Serbs.

Instead of IFORs being enthusiastic or being willing to encounter people and apprehend them if they encounter them, just the opposite has occurred. They were unhappy, in fact, about the poster of indicted persons that was distributed by the Tribunal to IFOR specifically because it gave the addresses of the war criminals. The problem, they said, was that some of these war criminals lived very near to IFOR bases, and they did not want to feel the pressure of having to encounter these people.

In Prijedor, the IPTF officer showed me the poster, and they had highlighted about four or five names of people who were living right there in Prijedor, in fact. They know exactly where they are, and they know who is around.

What is ironic about the discussions about IFOR apprehending war criminals is that contrary to what some say, I have met commanders and many troops in the field who actually are interested in playing a stronger role and who want to go and get these guys.

They volunteered for their service for a reason—because they believe in justice, because they believe that it is wrong what has happened to women and children and innocents in Bosnia. They want to do something about it, but they do not have the orders to go and get them. They simply have said that they would be happy to do that had they the imprimatur.

Judge Goldstone of the Tribunal has now said that his court and international justice in general will be dealt a fatal blow if NATO fails to arrest Mladic and Karadzic. In the meantime, one of the questions we asked is whether the Administration has perhaps pro-

posed a deal to Radovan Karadzic to go quietly to Montenegro. We would very strongly urge that there be an investigation of this possible deal that has been made because, as someone mentioned earlier, there seems to be a two-track operation here.

As the daughter of a former battalion commander in Vietnam, I have no desire to see Americans come home in body bags, but my father and many others would be willing to risk their lives to see justice in this kind of a situation. I think that we should consider that in our decision making.

Thank you, Mr. Chairman.

[The statement of Ms. Paul appears in the appendix.]

Chairman GILMAN. We want to thank you for your extensive statement, Ms. Paul, and for your recommendations as well.

I would like to ask you just a few questions. Our time is running. We may be called to the Floor shortly.

I understand that you have some familiarity with the records of some of the individuals who won the recent elections or appear to have won. Can you provide our committee with some example of their records? How about, for example, Momcilo Krajisnik?

Ms. PAUL. Momcilo Krajisnik, yes. He is often thought of, actually, as the main ideologue behind supporting Radovan Karadzic's policies in Bosnia. He was very involved in the organization of war-time ethnic cleansing activities and the development and implementation of Bosnian Serb policies of ethnic cleansing.

He has advocated a separate Bosnian Serb state and has never really bothered to pretend otherwise. He told *Le Monde* on election day that freedom of movement only applied on election day. He reassured Serbs publicly that, "The refugees will vote, and then they will leave." In other words, repatriation will not be permitted under Krajisnik's authority.

Krajisnik and others, specifically the head of the Serbian Democratic Party, have suggested a new Federal building on the IEBL boundary line with separate entrances for Muslims, Croats and Serbs, which just demonstrates the extent of his own nationalism.

I should point out that in television clips following the election, one political message was followed by scenes of thirteenth century knights fighting the Turks. Centuries of slavery are over, the Serbs said, and the Serbs have lifted the Serbian flag. This does not sound much like a commitment to peace.

On the Federation side, Kresimir Zubak, who is supposed to be leading the Bosnian Croat Federation, has played to Croat nationalism and has continued to support the so-called entity of Herceg-Bosnia, which was supposed to have been dissolved after August 30.

The vice-president of the Croatian Democratic Party, Hadranko Prlic, cried out at a recent meeting in Mostar that "the Croats have never been so strong. Herceg-Bosnia will not die." For his part, Alija Izetbegovic has found it necessary to increasingly engage in more nationalist rhetoric more from a protective stance than anything else.

Biljana Plavsic, who will most likely be president of the Serb Assembly, has blatantly refused to comply with OSCE directives to cease and desist from public statements about the intention to form a separate Serb state.

She apologized, as OSCE demanded she do, on television, but then Krajišnik made public statements that she had in fact been forced to apologize, had been pressured to apologize. Since the election, there have been a number of claims by the Serbs that they now have their independent state.

Chairman GILMAN. That is a good summary. Ms. Paul, there are rumors that the municipal and local elections that were postponed from last Saturday may be held sometime in November.

What are your views on when these elections should be held, and what would you like to see happen before? I know you included some of those in the recommendations.

Ms. PAUL. First of all, we have tried to focus on conditions from the very beginning. We have tried to avoid talking about election dates. We have tried to focus on conditions.

What the international community needs to do to make these municipal elections effective is to, first of all, use the power that is available to them to strike candidates who have been obstructionist and who have violated very clearly the Dayton agreement, to strike them from the ballot. They should not be allowed to participate in this process.

Chairman GILMAN. Who should be doing that?

Ms. PAUL. The OSCE's Election Appeals Sub-Commission. They have indicated an interest in this. They have taken some actions in the past, but their actions have been very limited up to this point.

We would hope that the elections would be delayed until such time as people, first of all, can have the right to actually go into their towns to vote. I suspect that the plans might be that the same setup be organized so that people really will not have the opportunity to go but a very short distance into the territory if they want to cross over.

Chairman GILMAN. How many refugees would be affected? How many votes?

Ms. PAUL. In terms of crossing over?

Chairman GILMAN. Yes.

Ms. PAUL. Originally, it was thought that about 105,000 people would exercise the right to vote. Some people thought that even more would. There has been speculation that more people would like to exercise their right to vote during the municipal elections because so much in Bosnia really depends on what is happening at the local level. This means a great deal to people.

Psychologically, also, it is a very deep blow that people cannot return to their home of origin to cast their vote. For them, it is a small measure of justice to be able to do that. Even though they may feel that their votes in the end may not make a difference, it is still important for them to be able to do it.

Now, what happened with these general elections is that security concerns were so overwhelming that they obstructed the right of freedom of movement, which this was one of the most important days for freedom of movement of all days, and yet that right could not be respected because of security concerns.

It is suspected that if there was security and if it was possible, if some of these people were removed from office, that more people

might try to exercise their right to vote because they might feel that then there is actually some hope for them.

Chairman GILMAN. There have been a number of optimistic observers who have pinned their hopes for Bosnia's ultimate resurrection as a multi-ethnic society upon a theory that free and fair elections can replace those who ignited this whole conflict and wish to see Bosnia partitioned; in other words, the bad guys with individuals committed to seeing the Dayton agreement fully implemented.

Do you believe such hopes are warranted? Can a multi-ethnic Bosnia divided into two entities operating under a weak central government re-emerge from the ashes of the present-day Bosnia?

Ms. PAUL. I have to say I think it is possible, and I believe that very much. Otherwise, I would walk away from this entire process. I agree with the Administration on one thing, and that is that this will be a long process.

In order, however, for moderates to be able to emerge from this society and to feel that they can speak out, we have to establish some kind of accountability in the little bit of time that the international community has left to exert its influence.

If we can remove some of these hardliners, if we can try to establish some accountability, some rule of law, then I think it will be possible. There are moderate judges. There are moderate lawyers. There are moderate police officers out there who really want to just live a normal life. They would not mind, some of them, seeing their neighbors and their friends again.

I do not believe that the hardliners represent the will of all the people. I refuse to accept that. I have spent a lot of time in the region on all sides, and I see that the ordinary people always are asking about a friend who left who is in Sarajevo, who is in Belgrade, who is in Zagreb, and that there is an interest on the part of many people for peace.

They can simply not let their interests and their will emerge under the current conditions because it is simply too oppressive.

Chairman GILMAN. Do you believe it is going to be necessary to keep the IFOR people there, some kind of international security force, in Bosnia beyond the December 20 deadline?

Ms. PAUL. Most definitely. I think that IFOR has done an excellent job in terms of the military component of the agreement, but we really have to focus on the civilian implementation side, or, when they leave, we face the risk of renewed conflict.

I think also for IPTF for this transition, as I was speaking about, to a civil society, we need to fill the gap and that IFOR has to be there. I think if they draw down their troops, if they substitute different kinds of troops, it might be effective, but mostly they are there to support IPTF and to back up the civilian part of the agreement is absolutely critical if the Dayton agreement is to have any success beyond simply a military separation for this year.

Chairman GILMAN. What can our nation and our partners do to keep the Federation functioning and its constituent parts cooperating with one another and President Tudjman cooperating in that endeavor?

Ms. PAUL. President Tudjman has not been cooperative in this endeavor, and I think one of the things we can do is deny military aid to Croatia and other assistance to Croatia and make it very

clear to President Tudjman that the refusal to dismantle the so-called government of Herceg-Bosnia is absolutely unacceptable, that this does nothing to further stability in the region nor the hopes for democracy.

It is our opinion that President Tudjman has really not played a role in supporting the Federation adequately.

Chairman GILMAN. Ms. Paul, we want to thank you for your time and for your insight on what is happening in Bosnia, a fresh insight coming straight from the battlefield.

Before concluding, I would like to note that we have just learned that the Bosnian Serb Interior Minister called this morning for the resignation of Prijedor Police Chief Drljaca. Let's hope that they follow through on this proposal.

Ms. PAUL. If I could just remark, sir, Mr. Kijde is actually a close friend of Drljaca and there could be a lot of posturing and promises that are not kept here.

If Drljaca actually steps down, we should not assume that he is no longer active. He has a complete secret police force at his disposal and will, in all likelihood, continue to operate. There needs to be a lot of attention paid to what he is doing.

Chairman GILMAN. Do you intend to go back to Bosnia shortly?

Ms. PAUL. I do not know about shortly, but I can hardly stay away.

Chairman GILMAN. Again, we thank you for your intelligence and your efforts and your thinking and recommendations.

I believe we have concluded the committee's business. The committee stands adjourned.

[Whereupon, at 12:15 p.m., the committee was adjourned.]

Opening Statement of Chairman Benjamin A. Gilman
Hearing on Bosnian Elections: A Postmortem
Committee on International Relations
September 19, 1996

The purpose of this morning's hearing is to review the results of the elections that were held in Bosnia last weekend. These elections, called for under the Dayton Agreement, were to fill offices of the national three-man presidency, for the national House of Representatives and for the assemblies of the Republic of Srbska and the Bosnian-Croat Federation. While the elections in general were without serious incident, for which we are all thankful and must commend our IFOR commanders for providing such good security, the preliminary indications are that they solidified the political position of hardline elements within each of the three ethnic groups in Bosnia.

Our hearing today is to explore what the meaning of the elections is for Bosnia's future -- will they provide a basis for reconciliation and stability, or do they represent the first steps toward partition and the eventual dismemberment of Bosnia. We need to also focus on a few key questions regarding the elections themselves. These include the level of turnout, and whether the Bosnian electorate was truly able to vote in the areas they wished to vote in. We must also again examine the conditions in which the election campaigns were conducted -- was there freedom of association, was there equal access to the media -- or where these essential elements of a free and fair process ignored because of the need to press ahead with elections to fulfill a timetable drawn-up last year.

Finally, we must also consider what the elections mean for the role of the international community. While there seems to be a growing consensus among our European allies that some kind of international security force will be necessary in Bosnia after December 20, and for an unforeseeable amount of time after that date, the Administration contends that such discussions are premature. The Europeans are also insistent that the U.S. be a part of such a force, and I think that it is time for President Clinton and his top foreign policy officials to level with the Congress and the American people about what commitments our Bosnia policy will require in the near future.

I also want to add a personal note. Since last April, I have been working hard with Cardinal O'Connor to win the release of Bosnian Catholic Priest Tomislav Matanovic. The case of Father Matanovic is the number one human rights priority of Banja Luka's embattled Roman Catholic Bishop Komarica. It is my understanding that Father Matanovic and his parents were arrested last September by the local Prijedor Bosnian Serb police under the command of Simo Drljaca. No one has seen the Matanovic family since although key international officials in the area believe that he is alive and held in a "private" mobile detention facility in cooperation with the 43rd Bosnian Serb brigade garrisoned in the area. You may remember that Drljaca was the commander of the Omarska concentration camp - Europe's first concentration camp since World War II.

Last week, I dispatched a team of committee staff to Prijedor last week to meet with Bosnian Serb officials to win the father's release. While they were not successful, I want to publicly thank Assistant Secretary Gelbard, Andrew Bair of his staff, Deputy U.N. Police Commissioner Robert Wasserman, IFOR Multinational Division Southwest Commander Major General Kizley and the local U.N. Prijedor Police Chief Col. Boda for their efforts to win Matanovic's release. Special thanks should go to Inspector William O'Neill of the U.N. police for his efforts. The effort to win Matanovic's release involves many nations -- Americans, British, Hungarians, Irish, Czechs and many more -- along with many international organizations. My staff reported that everyone in the international community remains hard on this case with excellent cooperation from all parties.

It is a pleasure to welcome Assistant Secretary John Kornblum to the Committee. This is his first appearance before us since taking on his new responsibilities as head of the Bureau for European and Canadian Affairs.

Statement of Representative Christopher H. Smith

Committee on International Relations
Bosnian Elections: A Postmortem
September 19, 1996

Mr. Chairman, I welcome this opportunity to review the conduct and consequences of elections last weekend in Bosnia and Herzegovina under the supervision of the Organization for Security and Cooperation in Europe (OSCE) as mandated by the Dayton Agreement. Admittedly, the OSCE faced numerous difficulties in organizing these complicated elections within the time frame agreed to in Dayton. Despite numerous calls for postponing the poll, a position which I strongly advocated, the Clinton Administration pressed ahead with the elections even though the conditions for free and fair balloting laid down in Dayton were neither present during the campaign nor on election day.

Persistent and pervasive problems with each and every condition stipulated in Dayton are well documented. The U.S.-brokered agreement called for a politically neutral environment; freedom from intimidation; freedom of expression and of the press; freedom of association; and freedom of movement. As Chairman of the Helsinki Commission, I am particularly disturbed over the blatant disregard for well-established OSCE standards and norms during the campaign leading up to the vote.

The failure of the parties to Dayton, the international community, and the United States, to ensure effective implementation of their obligations, including the surrender of indicted war criminals to the tribunal, had a chilling effect on the elections as well as the prospects for a unified Bosnia.

In the closing days of the campaign, the White House initiated its own campaign designed to lower expectations. We were warned not to expect Jeffersonian democracy in Bosnia and it was suggested that a consensus of the Bosnian people on the results would suffice as to whether the vote was free and fair.

Mr. Chairman, an honest assessment of the Bosnian elections must take into account the gross intimidation and manipulation which preceded and overshadowed the balloting. The Helsinki Commission will issue a report shortly based on observations of staff disbursed throughout Bosnia for the elections.

Perhaps one of the most telling scenes from the elections came when American officials hovered around Mrs. Plavsic -- the hard line Bosnian Serb nationalist leader -- as she read from a prepared statement, reportedly a U.S. draft, retracting her repeated assertions that the Serb Republic would eventually be united with Serbia. The Bosnian Serb president had all she could do to keep a straight face.

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Mr. Chairman, during the debate on President Clinton's decision to deploy 20,000 American troops in Bosnia, I voiced concern that the Administration's policy was driven by the U.S. presidential election schedule. As we near the President's self-imposed deadline for the withdrawal of U.S. forces from Bosnia, this concern is only intensified. Now that national elections in Bosnia are over, and the timing of municipal elections is still in question, President Clinton must now level with the American people about his intentions to maintain a troop presence in Bosnia beyond December.

Statement of Assistant Secretary of State
for European and Canadian Affairs
John C. Kornblum
House International Relations Committee
September 18, 1996

Mr. Chairman, thank you for this opportunity to appear before the committee to discuss the current situation in Bosnia, particularly in the wake of last Saturday's elections.

As you know, five days ago, the people of Bosnia went to the polls to select the individuals who will continue the process of building a lasting peace. In addition to a three member national presidency, they selected parliamentary representatives as well as entity and cantonal leaders. Though the results are not yet official, it appears certain that current President Izetbegovic has been selected to lead Bosnia for the next two years.

I cannot overstate the importance of these elections. After four years of brutal conflict which shredded the very fabric of their society, all Bosnians, regardless of ethnic group were given the opportunity that so many of us take for granted - the right to vote.

As I visited polling places and spoke with voters, I was struck by their enthusiasm. These are people who have been through a nightmare that few can imagine. They have seen their families taken from them, their homes destroyed, their lives ripped apart.

And yet, there they were, fully 70% of eligible voters, placing their trust in the ballot instead of a gun. In the end, these small slips of paper became more powerful than all the guns and artillery in Bosnia. Together, the people of Bosnia and the international community have succeeded in reclaiming their country from the clutches of war.

The process which culminated last Saturday represented the most complex election effort in recent memory. The Organization for Security and Cooperation in Europe, which organized the elections, overcame numerous, serious obstacles. Working in close cooperation with the NATO-led Implementation Force, the International Police Task Force and the High Representative's office, the OSCE not only managed the voting in both entities for central government and entity-level institutions but also oversaw the voting of refugees spread throughout 55 different countries.

The authoritative judgement on the conduct of these elections will come from OSCE mission head Amb. Frowick and I would not presume to prejudge his conclusion. However, I can say that, despite some irregularities, we are pleased at the conduct of both sides. Our European Union allies have also issued a statement along these lines.

While no one expected these elections would be flawless, I was particularly pleased at how well things went. Some had predicted disaster. They claimed these elections were a farce,

pushed ahead for political expediency. They confidently forecast massive violence and fraud.

With all due respect to these individuals, many of whom I have known and worked closely with for years, they were wrong. From my own observations and those of many other international observers, including several from this House, I can tell you that the elections were substantially peaceful and democratic.

I would particularly draw attention to the contribution made by the Presidential Delegation that traveled throughout Bosnia to observe conditions on election day. Among the members of this delegation were four of your colleagues: Representatives Murtha, Hoyer, King, and Mascara. Their keen insights and observations, drawn from a number of potential hot spots were invaluable in reaching a consensus on the conduct of these elections.

Yes, there were some incidents. Yes, there were long lines and isolated cases of intimidation. But, there was no violence. There was no widespread fraud. Several veteran observers have commented that compared with other elections, these were dull. For those of us who have labored so long on this issue, that is music to our ears.

Another apt description of these elections was provided by a prominent member of the Bosniac opposition. When asked if he approved of the way elections had occurred, he replied that there had been problems but that the choice between having imperfect elections or no elections at all was like choosing between "having a cold or cancer." Elections two years hence, the true culmination of the Dayton Process, will cure that cold, he said.

Of course, one day will not undo years of conflict. Bosnia is still a country divided, its peoples made distrustful from the brutality they have seen and experienced. The parties that garnered the most votes are the same groups that led Bosnia into the abyss in the first place. At times, the rhetoric on all sides became too heated, too divisive.

Yet, let us not lose sight of the essential fact of these elections. For the first time ever, all Bosnians went to the polls to chose a single government for a single state. They may have held different views, but for the first time they followed the same rules.

To illustrate that point, I cannot help but think of two remarkable statements made by Biljana Plavsic, the leader of the Serb entity. Mrs. Plavsic could never be considered a moderate. But, on the night before the elections, under instructions from the OSCE, she went on Serb television to apologize for the rhetoric her party had used calling for Serb

secession from Bosnia. The following day, she appeared before the cameras pledging full cooperation and support for the new central government institutions. When hardliners like Plavsic make such statements, I think we have some room for optimism.

Now that democratic elections have been held, we face the next great challenge in the peace process, translating the results into action. Immediately following the voting, President Clinton and Secretary Christopher directed me to begin a diplomatic offensive to move the process ahead. I have already met with both Bosnian President Izetbegovic and Serbian President Milosevic as well as our European partners to discuss the challenges that still await us.

In the coming days, the newly elected members of the Bosnian Presidency should meet in Sarajevo to begin the process of establishing central government institutions. Next week in New York, Secretary Christopher will meet with representatives of the parties as well as his colleagues in the Contact Group to address the challenges before us. Soon afterwards, Presidents Izetbegovic and Milosevic will meet in Paris to finalize the process of mutual recognition between Sarajevo and Belgrade.

So, while we have reason to be confident that the peace process remains on track, there are still important challenges before us. We still must ensure that the parties establish the

central government; we still must hold democratic municipal elections; we still must see full compliance with arms control agreements; and we must speed the delivery of reconstruction assistance. I will return to the region soon and our efforts will continue. We have come too far and success is too close to back away from the challenges that still await us.

Now that elections have occurred, one logical question concerns IFOR's presence in Bosnia. When the President deployed U.S. troops to Bosnia, it was with a commitment that their mission would last approximately one year. There has been no change in that commitment. IFOR will begin its departure at the end of this year. As we have said before, however, this departure will not occur overnight. Sixty-thousand soldiers cannot just disappear without causing serious destabilization to the process we have worked so hard to foster.

As you also know, there has been much discussion about what, if any, security arrangement should be put in place following IFOR's departure. Let me emphasize that - IFOR will depart. Among the ideas that are being discussed for the post IFOR period are a strengthening of the International Police Task Force. These issues are likely to be discussed at a meeting of NATO defense ministers later this month in Germany.

To conclude, this weekend provided an significant boost to the peace process. While these elections were not pristine and did not resemble the kind of process we are used to, they were peaceful and democratic. They also initiated the process of democratization that will culminate two years from now in subsequent national elections. With U.S. leadership and assistance, the people of Bosnia have given themselves a second chance. As we turn to the task of rapidly establishing government institutions, we will assure that this chance is not lost.

Questions for the Record Submitted to
Assistant Secretary John C. Kornblum
House International Relations Committee
September 19, 1996

Q: It has been acknowledged by many observers that an environment of fear, low-level intimidation, low level corruption and low-level fraud pervaded these elections. What steps are being taken to correct problems with the registration lists, absentee voters, poll access across the IEBl and ballot stuffing as reported in these elections prior to the municipal elections? Do you think these steps sufficient to build public confidence in the electoral system and its resultant institutions?

A: A report by Edward Van Thijn, the Coordinator for International Monitoring, took into account over 4000 forms and reports handed in by elections observers. In that report Van Thijn noted that at almost all polling stations (97%) the voting process was conducted properly, and that at those few stations where there were difficulties, no severe problems were observed. Van Thijn did note that the OSCE needed to improve certain aspects of the polling process. The OSCE is developing plans now to remedy those problems as best as they are able before the municipal elections, which are currently targeted for November 22-24. We are working with the OSCE and will support them in the effort to continue to build public confidence in the electoral system.

Questions for the Record Submitted to
Assistant Secretary John C. Kornblum
House International Relations Committee
September 19, 1996

Q: Many international observers were surprised that the polls had barely closed when OSCE and IFOR officials were giving very positive commentary on the conduct of the elections. This was before international observers had filed their written reports with Mr. Van Thijn, the coordinator of the OSCE observer effort. Doesn't this imply a "rush to judgment" that negates the good-faith efforts of hundreds of international observers?

A: No, it does not. Initial reports by OSCE and IFOR officials, as well as numerous international observers, dealt with events on election day itself. The comprehensive report issued by Mr. Van Thijn fully supports the initial positive assessments of the voting process on September 14 and the lack of violence throughout the country on that day.

Questions for the Record Submitted to
Assistant Secretary John C. Kornblum
House International Relations Committee
September 19, 1996

Q: Despite efforts to draw up eligible voter lists from the 1991 Yugoslav census, an estimated 10%-15% voters were disenfranchised when their names did not appear on local precinct voter lists. Was this disenfranchisement equally spread among all ethnic groups? Do you believe this was a serious factor in determining the results of the elections? What steps are being taken to ensure that the list are complete by the time of the municipal elections?

A: It is clear that the voter list did contain inaccuracies and was formatted in such a way that a significant number of voters had difficulties in finding their names on it. Many of these individuals did succeed in voting by utilizing established procedures to have the Local Election Commission review their documents and authorize voting. Nevertheless, an unknown percentage in the end did not vote. Although any problems with the list are regrettable, we do not think they materially affected the outcome of the elections. The OSCE is taking several steps to improve the registration process. The current plan is for a six day "voter verification" process from November 11-16. During this period voters will be encouraged to visit any one of 400 designated verification sites to ensure that their names are on the voter list. At that time voters may:

- a) request a name change
- b) apply to vote by absentee ballot in their 1991 municipality

- c) apply to vote in the municipality where they now live, if different from their 1991 municipality
- d) apply to vote if they have turned 18 since the 1991 census, and
- e) apply to vote if their name does not appear on the 1991 census

U.S. Forces in Bosnia

- Q: IFOR's visible presence is credited by many as the reason why there was virtually no violence on election day. Presumably the forces will be needed through the municipal election process. What military force will be needed by the new national government to ensure a secure environment?
- Q: All three ethnic groups have said that these elections, however flawed, could not have been held without IFOR's presence. Some clearly want IFOR presence to continue. What are the administration's plans to extend the presence of IFOR and continue active U.S. participation in Bosnia? How does the strongly nationalistic victory in each of the three areas affect such plans?

- A: NATO has approved the deployment of an IFOR follow-on stabilization force, to be known as SFOR. This force, to number approximately 30,000, - or half the size of IFOR - will have a more limited set of tasks than IFOR. (U.S. force commitments to SFOR are approximately 8,500.) SFOR's principal military mission will be to deter the resumption of hostilities by maintaining a presence in the country and responding firmly to major disturbances and cease-fire violations.

We expect that SFOR would be able to contribute to a safe and secure environment for OSCE-run municipal elections in 1997.

Nationalist victories in the September elections were not entirely unexpected. We expect that all NATO ground forces will be able to withdraw from Bosnia by the summer of 1998. By that time, another year and a half of peace will have enabled the parties, with the help of the international community, to make major strides in rebuilding the economy, governing the country through the newly-established joint institutions, resettling refugees and establishing a stable military balance.

Question for the Record submitted to John Kornblum
House International Relations Committee
September 17, 1996

Equip and Train

Q. As a corollary to the elections, what steps are being taken to insure the ability of Bosnia-Herzegovina to defend herself if conflict were to resume.

A. The United States is investing significant resources into ensuring that a stable military balance is created in the region so that the Federation has an adequate self-defense capability in post-IFOR Bosnia.

In addition to arms control measures agreed to in Vienna earlier this year, an effort is being conducted under the auspices of the U.S.-led, international Train and Equip (T&E) Program, which officially started after President Clinton's announcement on July 9, 1996. An interagency T&E Task Force at the State Department has overseen the signing of a contract between the Federation and MPRI, a U.S. company, for the training of Federation armed forces. MPRI is now in its third month of operations in the Federation, has held two training seminars for senior military leaders, and has begun brigade-level training of both Bosnian Muslim and Croat brigades. MPRI also assisted the opening of a Federation military school in early October.

The Task Force is also coordinating the delivery later in October of \$100 million worth of U.S. military equipment authorized in FY96 by the Congress. In addition, other countries, including Saudi Arabia, Kuwait, the UAE, Malaysia,

(continued)

and Brunei, have pledged \$142 million in cash donations to the train and equip effort. Part of this money is going to fund the MPRI training contract. The rest will be used to purchase additional military equipment which the Federation will need in order to have an adequate self-defense capability. The Task Force is currently negotiating with several East European and Middle East countries for this equipment.

Although the program will continue into 1997, we estimate that Train and Equip can make a significant improvement in the Federation's armed forces by this year's end.

Arms Control

- Q: Many have cited the arms control provisions of Dayton as a success. Have the Bosnian Serbs provided data on their large military holdings? Isn't it true that the Bosnian Serbs have seriously under-reported their actual weaponry?
- A: The Bosnian Serbs are not living up to the spirit and intent of the Agreement on Sub-Regional Arms Control (Article IV of the Dayton Framework Agreement). They have misapplied certain provisions of the agreement and underreported holdings in some categories.

We are concerned by this situation, and have raised the issue with Serb officials on numerous occasions. We are also consulting with OSCE officials and within the Contact Group on appropriate steps to be taken to resolve this problem.

Question for the Record submitted to
 Assistant Secretary of State John C. Kornblum
 House International Relations Committee
 September 19, 1996

Q: The day after the Bosnian elections, President Clinton remarked that "by the voting, the Bosnian people gave life to the institutions of national government." In March of 1994, the leaders of Bosnia and Croatia signed the U.S. brokered Washington Agreement establishing the Bosnian Federation. Over two years later, the Federation is pretty much a farce as far as I have been able to determine.

Given the disappointing results with the Bosnian Croat Federation, how does adding the Bosnian Serbs to the equation increase the likelihood of progress?

Do you believe that Sarajevo has administrative authority throughout the Federation, and will continue to in the future?

Are you prepared to deal with the breakdown of the Federation, with the Croats and/or the Serb Republic separating and joining with their border states? What steps have been taken to prevent such a breakup of the Federation?

Has any consideration been given to adoption of a non-recognition policy should there be attempts to establish new states from Bosnian territory, similar to the one the U.S. maintained for decades with respect to the Baltic States?

A: The Dayton Peace Accords and our continuing intensive efforts in Bosnia are based on the preservation of the territorial integrity of Bosnia and Herzegovina. The best assurance of that is the successful creation of functioning governmental institutions at the national, federal, cantonal and municipal levels. We are actively engaged in making this a reality.

Establishment of the Federation ended the fighting between Bosniaks and Croats, and laid the foundation for our larger effort that eventually ended the war in Bosnia. While more remains to be done, substantial progress has been made in setting up the Federation as a viable governmental entity. For

instance: the Federation parliament meets regularly and has passed basic legislation; joint ministries, including the ministries of finance and defense have been established; and a joint customs administration and a joint payments system are beginning to function.

In September, new members of the Federation parliament were elected. Once the new government is formed, we expect the process of building Federation structures to accelerate. The September elections also began the process of building the national institutions. While this will be a difficult process, the three presidents have met and have publically committed to work together to create the structures outlined in the Dayton accord. We will work with them to achieve that goal.

The process of creating a unified and stable Bosnia is complex, but we have made enormous progress. After years of war and terrible atrocities, the fighting has stopped and the reconstruction of a normal society has begun. The longer the peace continues, the better the chances that the habit of peaceful conflict resolution will take hold.

We have repeatedly made clear that we will not countenance, much less recognize, the division of Bosnia. In this, we have the strong support of our European allies. The Dayton accord includes the recognition by Serbia and Croatia of the territorial integrity and sovereignty of Bosnia and Herzegovina. The recent normalization of relations between

Croatia and Serbia is based on the integrity of existing borders. Likewise, the recent agreement between Bosnia and Serbia in Paris to enhance cooperation and exchange ambassadors is also based on an acceptance of the current borders.

Washington Office for Bosnia

Grass Roots Empowerment, Congressional Relations, Policy Monitoring and Aid Evaluation
1718 14th Street NW, # 2
Washington, DC 20009

Phone: 202-319-7615
Fax: 202-319-7652

Dede Faller
Chairman
202-546-5672

Andrew Eiva
Congressional Liaison
202-319-7615

September 19, 1996
To: Members of the International Relations Committee
From: Andrew Eiva, Washington Office for Bosnia

CONGRESSIONAL OVERSIGHT CAN REMEDY FLAWED US POLICY

1. The Bosnian elections are the latest example of the administration's two track policy in Bosnia. The elections did what US officials at Dayton designed them to do; intensify Bosnia's ethnic divisions by allocating elective offices on an ethnic basis. Nevertheless, administration officials still claim to intend the opposite; defending the elections by claiming to help Bosnia, even saving(!) Bosnia's multiethnic tradition.

Today's hearing is an opportunity to scrutinize this two track approach to US Bosnian policy; claim to oppose genocide in public, but appease it in private.

2. Congressman Douglas Bereuter revealed the non-public administration policy track in Bosnia during last year's debate over deployment of US troops, quoting NATO officials who said that Dayton will create a "pause during which Serbia and Croatia can fine-tune their plans for the final dismemberment of Bosnia." Events this year are bearing out Rep. Bereuter's bleak forecast. Current US policy must be replaced if the destruction of Bosnia is to be averted.
3. Today, we ask you to scrutinize the two tracks of US policy which have been laid out in detail by a Washington Post reporter (See Love Thy Neighbor, Peter Maas, Alfred Knopf, 1996, pgs. 248-272):
 - Track 1: On the surface, convince America that it is helping Bosnia
 - Track 2: Below the surface, collude with France and England in appeasing Serb ultranationalists and dismembering Bosnia
4. Grass roots groups around the country are developing a new consensus: ten adopted a resolution (enclosed) in recent weeks rejecting current US policy and supporting Bosnia's territorial integrity. These groups pledge to "hold President Clinton morally and politically accountable for the tragic consequences" likely from the Accords (see enclosed resolution):

- Washington Area Bosnia Support Committee (DC, MD, No. VA)
- Bosnia Advocates Metrowest (Framingham, MA)
- Friends of Bosnia (Columbus, OH)
- Bosnian Congress USA (Detroit, Boston, Seattle)
- American Committee Supporting Freedom and Democracy in Croatia and Bosnia (San Francisco)
- Connecticut Citizens Against Genocide
- I Am Your Witness (Seattle, WA)
- Coalition for Intervention Against Genocide (New York City)
- Committee of Bosnian Refugees (USA)
- Greenwich Coalition for Peace in Bosnia (Connecticut)

A Project of the Washington Area Bosnia Support Committee

Bosnia Support Committee

DC Area Residents of All Religious and Political Affiliations Working to Help Bosnia
P.O. Box 18712, Washington, DC 20036

Dede Faller
Chairman
202-546-5672

Andrew L. Erva
Congressional Liaison
202-319-7615

A RESOLUTION

to urge the President to replace the Dayton accords with a policy supporting Bosnia's territorial integrity and multi-ethnic ideal. Adopted by the assembled members of the Bosnia Support Committee in Washington, D.C. on July 10, 1996.

Endorsed as of August 15 by the following: Bosnia Congress, USA (Boston, Detroit and Seattle), Bosnia Advocates Metrowest (Framingham, MA), American Committee Supporting Freedom and Democracy in Croatia and Bosnia (San Francisco), I Am Your Witness (Seattle), Committee of Bosnian Refugees (USA), Friends of Bosnia (Columbus, Ohio), Canadian Committee to Save Bosnia (Ottawa)

WHEREAS, the people of Bosnia nurtured a multi-ethnic society for centuries and tens of thousands of Bosnians of all ethnic groups gave their lives to defend each other against ultranationalist aggression,

WHEREAS, the Dayton accords marginalize Serbs and Croats of good will and concentrate economic, political and military power among ultranationalists, especially some 3000 local officials of Republika Srpska with blood on their hands;

WHEREAS, while we remember President Clinton's 1992 campaign promise to arm the Bosnians, we decry the actions of administration officials who claimed that they had "leveled the playing field" while delivering arms at an inadequate level while squeezing Bosnia into an ever less defensible corner;

WHEREAS, the Pentagon and the State Department have equated victim and aggressor in Bosnia, excluding the moral factor from U.S. policy toward Bosnia for four years, and finally rewarding aggression and punishing the victim through the Dayton accords;

WHEREAS, the Dayton accords give 80% of Bosnia's hydroelectric power, its top pre-war export, to Serb and Croat ultranationalists, financing rearmament of the aggressors and impoverishing the victim;

WHEREAS, the Dayton accords misdirect billions of dollars in ways that fail to ensure Bosnia's survival, but cost several times more than what is needed to save Bosnia;

WHEREAS, the Dayton accords reward genocide and encourage its spread;

WHEREAS, the Dayton accords align the United States with a faction of British and French officials who are in virtual collusion with Serb ultranationalists and set the United States against those Europeans who oppose the genocide of Bosnia;

WHEREAS, failure to disrupt and punish this genocide will squander a unique chance to turn the oft-quoted demand of "never again" into policy and turn those words into empty rhetoric forever,

WHEREAS, the lessons of Auschwitz, Cambodia, and Rwanda indicate that executive branch officials are likely to resist decisive measures against genocide unless the people insist on moral leadership;

THE BOSNIA SUPPORT COMMITTEE RESOLVES THAT:

We support the people of Bosnia who risked their lives for four tragic years to defend their multi-ethnic ideal;

WE PLEDGE OUR EFFORTS TO HOLD PRESIDENT CLINTON MORALLY AND POLITICALLY ACCOUNTABLE FOR THE TRAGIC CONSEQUENCES OF THE DAYTON ACCORDS;

We condemn Serbia's president Slobodan Milosevic, the architect of the genocide of Bosnia, and advocate a policy to isolate his regime and reach out to Serbs of good will, and

We urge President Clinton and Congress to adopt a policy which EFFECTIVELY helps Bosnia defend its territorial integrity and multiethnic ideal.

BEHIND CLINTON'S IRAN-BOSNIA GAMBIT

[Statement submitted at invitation of Congressional committee investigating President Clinton's role in Iran-Bosnia arms deal]

My name is Alex Dragnich. I was born and grew up in Washington State, the son of immigrant parents from what was then the little kingdom of Montenegro. My undergraduate work was done at Linfield College and the University of Washington, and my graduate degrees are from the University of California at Berkeley.

In the words of Lyndon Johnson, I am a free man, an American, and a Democrat, in that order. And with Theodore Roosevelt, I do not like the concept of a hyphenated American.

For nearly thirty years, until my retirement in 1978, I was professor of political science at Vanderbilt University. During that time and after, I wrote several books on Yugoslav history and politics, doing a great deal of my research in Yugoslavia. For various periods of time I served the U. S. government-- in Washington, at the U. S. Naval War Collge in Newport, and in the American Embassy in Belgrade.

In the course of the past four or five years, I spent a great deal of time on the complex question of Yugoslavia. I was particularly anxious to find an answer to U. S. policy. I read a lot and talked to many people, and I wrote a number of magazine articles and newspaper pieces.

I have sometimes been accused of being biased. I admit to being biased on two counts: (1) on behalf of the truth, and (2) on a desire to help my country avoid mistakes in foreign policy in areas that I know something about.

While in U. S. government service many years ago, I came to realize that while at times "machievellianism" was inescapable, most of the time the U. S. was guided by certain standards of fairness, morality, and rectitude. After spending several years on the Yugoslav question, however, regretablely I must conclude that those standards have have been totally absent in American decisions on Yugoslav matters in recent years.

My conclusion has now been confirmed by several recent books, Lord Owen (Balkan Odyssey), Yossef Bodansky (Offensvie in the Balkans), and Susan Woodward (Balkan Tragedy), to name only three.

It is now obvious that the issues in Yugoslavia's breakup were not important, and hence fairness was never a consideration. And saving lives was also not in the equation, and neither was the question of who committed what atrocities or other nefarious acts. What was important was victory for the U. S. policy of supporting the Bosnian Muslims. Of course, we wanted to achieve it at the lowest possible cost, and if possible, have others do the dirty work for us.

There is the nagging question of why? But over time the answer has become quite clear. Above all, U. S. policy makers were concerned with mending fences with the Muslim states of the Middle East. Hostility toward America in that region has grown over several decades, almost entirely because of the Arab conviction that the United States has constantly sided with Israel. Islamic militants have always defended their terrorist acts in those terms.

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And it just so happened that the U. S. found in the Yugoslav civil war, notably in Bosnia, the golden opportunity to demonstrate to the Muslim world that it could be pro-Muslim. True, there was an inconvenience, the Serbs, our friends since we recognized them over a hundred years ago and our allies in the two world wars. They stood in the way, because they were fighting for the very thing that we recognized as a right in the case of the secessionist republics--self-determination.

More than two years ago, an off-the-record Administration insider put the case for sacrificing the Serbs as follows: "We are getting incredible pressure from the Saudis and others to help the Muslim cause in Bosnia. They remind us that the Islamic world provides us with all the oil we want at relatively low prices, that Islamic states have billions of petrodollars to invest in 'friendly states' and offer a potential market of over one billion people for the goods and services of 'friendly countries,' and finally, that the peace process between Israel and the Islamic world would go better if Israel's main friend was also a friend of Islamic countries. When you weigh these facts against what eight million Serbs can do for America's interests, its clear what direction our policy is going to take."

Perhaps the West should have followed Franklin Roosevelt's advice, when during World War II he expressed the view that Yugoslavia should not be re-created--that Serbia should receive assistance and that the Croats, who had allied themselves with Hitler and Mussolini, be put under trusteeship.

In any case, the United States under Presidents Bush and

Clinton--more so under the latter--demonstrated that we could be just as cynical, hard, unfeeling, and callous as any other great power.

The more astute of our Serb friends understood America's machiavellianism, even though they did not like it. What really hurt, however, was not so much their being abandoned as the use of false accusations against them in defense of U. S. policy. Even the rejection of the Serbs' right to self-determination was far less odious and shocking than being blamed for explosions in Sarajevo market places (three major ones) of which they were not guilty, as a way of justifying that punishing policy.

What also hurt the Serbs was U. S. deviousness in utilizing the right of diplomatic recognition, not only to deny them the same rights as recognized for the secessionist republics, but in addition, to charge them with "aggression" when they sought to exercise that right. Adding insult to injury for the Serbs was the pretense, expressed a number of times by Clinton, that the conflict was a civil war in which we would not take sides, while doing just that.

Israel, as well as the major Jewish organizations in the United States, understood U. S. policy, and were supportive, because it would be possible for the United States to continue large scale assistance to the Israelis. Many Jewish leaders, inside and outside Israel, privately expressed considerable anguish over U. S. policy toward the Serbs, who historically had been their best friends among all of the Balkan peoples.

But among states, the U. S. and Israel are no different

from other countries. National interest comes ahead of morality. What has puzzled informed Americans is the lack of any public controversy, either in the Congress or in the media. In a democracy one has come to expect debate and discussion. What has happened with respect to U. S policy in the Yugoslav wars, however, is that the Congress and the media have marched in lockstep with the President, much as such institutions do in dictatorships. True, a few reporters have tried to bring out some bothersome truths, and some members of Congress voiced disapproval of sending American soldiers on a peacekeeping mission, but the basic issues have escaped serious discussion. Only when President Clinton's personal intervention to facilitate the flow of arms from Iran to the Bosnian Muslims became public knowledge, did some begin to take notice.

The inattention or lack of interest among members of Congress is understandable because of whatever priorities they may have set for themselves. At the same time, there are nearly always some members of the opposition who are "gunning" for the President. Under Clinton, for somewhat mysterious reasons, the leader of Congressional Republicans, Senator Dole, has been a strong partisan of the Bosnian Muslims.

The media are more difficult to explain, particularly their failure to question the received wisdom from the administration. In a presumably competitive field, media moguls, especially in TV, found no reasons to be different or to take issue with their counterparts. Some anchors even continued to utter the same untruths, even after mistakes had been pointed out to them.



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Aside from blaming the Serbs for the Sarajevo market explosions for which they were not responsible, there is the question of the treatment of the so-called "safe havens." The media constantly harped on the fact that the Serbs shelled these, which was fair enough, but they never pointed out that the UN had failed to de-militarize them. And they did not bother to note that every UNPROFOR commander in Bosnia reported how the Muslims had used the safe havens as military staging areas from which they launched attacks on surrounding Serb villages, provoking retaliation.

One cannot avoid raising the question, in all seriousness: have the major media outlets been bought by Arab-Muslim forces? Or are they afraid of terrorist acts against them if they report truths that are unfavorable to Muslims? Or has the public's comprehension of the problem been so slanted that an anti-Serb psychosis blankets everything, paralyzing independent thought?

It seems to me that the time is long past when we must call a spade a spade, and let the chips fall where they may.

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Alex N. Dragnich
10450 Lonsford Rd
3101
Bowie, MD 20721



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